The Washington Monthly

JUNE 1995/$3.95

A Democratic Congressman's Diary of the First 100 Days

■

Where the Republicans Aren't Wrong

■

And: Gregg Easterbrook, Blaine Harden, and Myra MacPherson

"Until Debt Do Us Part"

How Home Shopping Preys On America's Lonely Hearts

BY AMY WALDMAN

PLUS: WHY IT MAY GET WORSE ON THE INFORMATION SUPERHIGHWAY

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

WHAT THEY'RE SAYING ABOUT THE FINDINGS IN *TOP HEAVY*

"Income Gap in U.S. Called Widest in Industrial Nations"
—*THE NEW YORK TIMES*

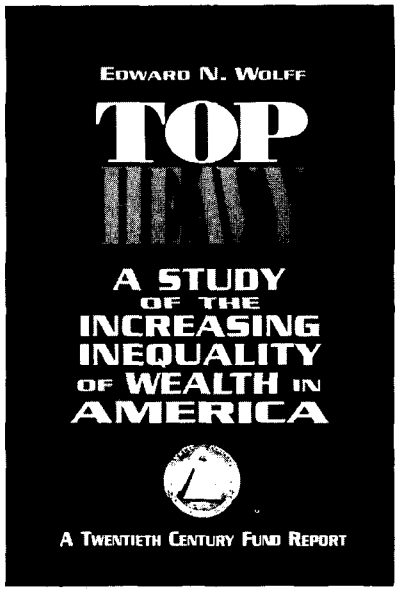
"New Figures Show Wider Gap Between Rich and Poor"
—*THE CHRISTIAN SCIENCE MONITOR*

"A Rising Tide Lifts the Yachts"
—*NEWSWEEK*

TOP HEAVY: A STUDY OF THE INCREASING INEQUALITY OF WEALTH IN AMERICA

is being widely quoted because of the disturbing questions it raises about the widening wealth gap that threatens to turn the United States into a land of haves and have-nots, with few left in the middle. Edward N. Wolff's study for the Twentieth Century Fund analyzes the latest data and finds that:

- In the 1980s, the share held by the top 1 percent of wealth holders grew by 5 percentage points, while the bottom 40 percent suffered an absolute decline.
- All the gains in wealth during the 1980s went to the top 20 percent of wealth holders.



Available now: ISBN 0–87078–360–2; paper $9.95, 93 pages

TO ORDER CALL 1–800–275–1447, GIVE REFERENCE OW65
WASHINGTON, D.C. RESIDENTS CALL 797–6258

THE TWENTIETH CENTURY FUND
41 EAST 70TH STREET, NEW YORK, NY 10021 · 212–535–4441
PLEASE WRITE OR CALL FOR A FREE CATALOG OF ALL TCF PUBLICATIONS

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Volume 27, Number Six June 1995

The Washington Monthly

4 Tilting at Windmills *by Charles Peters*
Iron Mike's babysitters ... Steak knives for stockbrokers ... The case for upsizing ... and other odds and ends....

10 Lonely Hearts, Classy Dreams, Empty Wallets *by Amy Waldman*
How home shopping channels prey on the hunger for class and companionship.

17 The Robber Barons of the Information Highway *by Joshua Wolf Shenk*
Telecommunications companies promise the digital kingdom of heaven. But don't count on it.

23 Patriot Games *by Paul Glastris*
Our roving reporter goes in search of the militia movement's gun-wielding amateur soldiers and finds something even scarier—amateur lawyers.

28 McNamara's *Other* Crimes *by Myra MacPherson*
The stories you haven't heard: The great debate over McNamara's *mea culpa* ignores two of the former defense secretary's most egregious errors.

30 Halting the Air Raid *by Warren Cohen*
At last, thanks to the FCC, the taxpayers are finally getting some return for the broadcasting rights that were given away for years.

34 Where the Republicans Aren't Wrong *by Daniel Franklin*
Democrats would do well to recognize the rare instances where the GOP is correct.

40 Diary of a Congressman *by Bob Wise*
Life in the minority, writes a Democratic Representative, has its pains as well as its devilish pleasures.

ON POLITICAL BOOKS

48 The Quiet Revolution *by Blaine Harden*
Eastern Europeans navigate the fine line between justice and vengeance—and speak volumes about their future.

52 This Smut's For You *by Jonathan Rowe*
For all their jeremiads about the decline in traditional values, Republicans are ignoring the greatest culprits—Madison Avenue advertisers favored by the GOP's beloved businesses.

55 Political Booknotes *Reviews by Gregg Easterbrook, Kirk Johnson, Lewis W. Wolfson, and Maribeth Vander Weele.*

DEPARTMENTS

2 Letters
16 Monthly Journalism Award
26 Who's Who
39 Memo of the Month
51 Tidbits and Outrages
60 Political Puzzle

Cover by John Borruso

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Letters

Yoder's Pumpkin Papers

In his charitable review of Ed Yoder's charitable biography of Joe Alsop ("Political Booknotes," May), Arthur Schlesinger, Jr. exonerates Alsop from serious misdeeds during the McCarthy era. Not everyone who dealt with Alsop in that era was quite so forgiving.

Indeed, John Paton Davies and Jack Service, two of the most talented of our China experts whose careers were shattered in that era, told me that their personal nightmares began when Alsop wrote his series of three articles in the *Saturday Evening Post*, which was, at the time, an extremely influential magazine.

The articles, lest we forget, were entitled "Why We Lost China." They were not journalism of serious intellectual premise—they in no way illuminated the collapse of a feudal order and the implosion of Chiang's regime. Rather the articles were Alsop's way of getting even with old political foes from China and were essentially a simplistic recreation of the Pumpkin Papers, implying that China had fallen for conspiratorial reasons and blaming others in the bureaucracy for the fall.

When I interviewed Davies and Service for *The Best and the Brightest*, both men cited Alsop's articles as the turning point in the assault on them. The series took what were smoldering resentments against the two men, virtually turned them into charges, and gave them a new centrist respectability—moving the argument from the radical fringe to a place where it could be adopted by a Republican party then desperate for issues.

It is certainly true that Alsop later stood up against McCarthy when the Wisconsin Republican went too far: It was one thing to settle a few old scores left over from China, it was another thing when McCarthy attacked one of the big boys, like Dean Acheson. Alsop eventually defended men like Davies and Service; but their gratitude towards him, I discovered, remained somewhat limited.

It is also true that the experience of China did not necessarily create a wiser, kinder, gentler Alsop. In fact, he was quite willing to play the exact same game one more time. In Vietnam he tried to do the same thing he did to men like Davies and Service to me and the other war correspondents. He not only initiated a series of attacks upon us in his then quite influential column, (thereby encouraging other critics to have at us,) but perhaps even more perniciously, at a time when he still had a considerable reputation and we had not yet earned ours, he went round the Georgetown dinner party circuit (where we had few defenders) regularly attacking us for our lack of courage, our lack of patriotism, and our lack of accuracy.

Occasionally, he would also show up in Vietnam, where he would compare us to the old China hands, claim that our fate would surely be like theirs, that Congressional investigating committees would certainly come after us, but that he in his infinite generosity would come to our defense, as he had come to the defense of men like Davies and Service.

Professor Schlesinger finds him curiously lovable: I suppose it depends on your point of view. Davies and Service did not think of him that way, nor for that matter did my colleagues and I.

David Halberstam
New York, NY

Wronging McNamara

Richard Reeves ("War Stories," April) is churlish and illogical in his review of Robert McNamara's retrospective on the Vietnam War. In an era when it is usual for our leading "statesmen" to meet a charge of scurrilious personal behavior or official malfeasance with false, shameless, public denial; when an unremitting flow of public dissembling and factual distortion corrupts our political dialogue, the greatest admiration is due to anyone who acknowledges his egregious culpability while in high office. There are others who could usefully imitate Mr. McNamara's reincarnation.

We need not forgive Mr. McNamara's wrongs to recognize his virtue. The contrast between the cocksure schemer of Vietnam and the penitent of today is so stark that the phrase "Remember McNamara!" will live in our memory as a warning to other would-be political adventurers.

William H. Mills
Alexandria, VA

The Editors: See "Tilting at Windmills," page 6.

Inquiring Minds

Dale Russakoff's review of my book *The Media and the Mayor's Race* failed to disclose that the reviewer had a direct personal interest in my critique of the Philadelphia media's coverage of the 1991 mayoral campaign. Russakoff's husband, Matthew Purdy, was one of the *Philadelphia Inquirer* reporters who covered the campaign.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

This explains perhaps why the review was more a defense of the *Inquirer* than an examination of the flaws that I argue are present in much local coverage of campaigns. Russakoff is more than willing to accept my conclusions about the failings of local television news but, not surprisingly, begs to differ when it comes to my criticisms of the *Inquirer*. She fails to note the serious transgressions of that newspaper—namely, hyped, distorted, and just plain wrong stories that succeeded in severely damaging the campaigns. In the process she misses a central point of the book: that metropolitan newspapers tend to reward reporters for interpretive political stories that inject drama and intrigue—no matter how misleading—into campaigns, while penalizing them for balanced pieces that inform voters about candidates and positions.

Contrary to the impression left by the review, my book was not meant to grade an individual newspaper or television newscast but to indict a form of journalism that leads to public apathy and cynicism, rather than informed political participation. Allowing a reporter with a clear personal stake in attacking this book's conclusion to masquerade as an objective reviewer represents a clear breach of journalistic ethics that should only increase public mistrust of the media.
Phyllis Kaniss
Philadelphia, PA

Dale Russakoff replies: Kaniss is incorrect. My husband Matthew Purdy, a reporter for *The New York Times*, was employed by the *Inquirer* in 1991, but was not one of the reporters covering the campaign. He was occasionally asked to contribute factual information to other reporters' stories and was detailed in the final weeks of the primary to write a biographical profile of one candidate. But he was not on the team of reporters covering the campaign, had no role in planning the coverage, and was based in the paper's Washington bureau for most of that time.

If Kaniss had read my review, she would see that I agreed that the coverage was flawed, and shared her concerns that these flaws extend beyond the Philadelphia market. But I attributed the flaws to "a failure of imagination on the part of reporters and editors" rather than to structural, economic forces that she sees as the enemy. The *Inquirer* reporter she used in the book as an example of all that is wrong with urban political coverage is not an inevitable product of these forces. He and his editors are to blame as individuals. As I pointed out, other individuals at the same newspaper reported brilliantly on the city's fiscal crisis in the year leading up to the election, and likely played a role in preparing the electorate to see the 1991 mayoral race as a crossroads. These articles were not mentioned in Kaniss's book.

Toxic Argument

In "Tilting at Windmills" (April), Charles Peters states in describing DDT, "It was banned because it caused cancer." Although, unfortunately, DDT is toxic for certain animals, it has never been shown to cause cancer in humans.
Jack Levin, M.D.
San Francisco, CA

Charles Peters replies: Dr. Levin is correct. Such exaggeration too often mars otherwise valid environmentalist argument. I'm embarrassed to have been guilty of it.

Correction

A word was omitted from Allan J. Lichtman's piece "History According to Newt" (May). House Speaker Newt Gingrich's district in Cobb County, Georgia is the *third* largest recipient of federal funds, not the largest. The editors regret the error, but blame the rascal monkey who climbed into the *Monthly* file server shortly before deadline.

The Washington Monthly

Editor in Chief Charles Peters
Publisher Hilary M. Ross
Editors Gareth Cook, Daniel Franklin, Joshua Wolf Shenk, Amy Waldman
Contributing Editors
Jonathan Alter, Thomas N. Bethell, Tom Bethell, Taylor Branch, Matthew Cooper, Gregg Easterbrook, James Fallows, Christopher Georges, Paul Glastris, Mickey Kaus, Phil Keisling, Michael Kinsley, Nicholas Lemann, Suzannah Lessard, Arthur Levine, Jon Meacham, Joseph Nocera, Leonard Reed, John Rothchild, Jonathan Rowe, David Segal, Walter Shapiro, Scott Shuger, Steven Waldman
Editorial Advisory Board
Charles W. Bailey, James David Barber, Edgar Cahn, David Halberstam, Murray Kempton, Richard Reeves, Hugh Sidey
Assistants to the Editor
Pam Matthews, Michael K. Mayo
Business Manager Kristine Norquist
Production Manager Mark J. Lilback
Interns Faye Elliott, Sunil Iyengar, Matt Opalack
Proofers Carousel Bayrd, Amanda Bichsel, T. King Carvell, Juliet Eilperin, Alan Greenblatt, Stryk Thomas

Subscription rates: U.S. and possessions: one year, $39.50; two years, $74; three years, $105. For Canadian and foreign subscriptions, add $7 for surface delivery; air mail delivery add $32. Back issues, $5.00. Send correspondence concerning subscriptions, undelivered copies, and changes of address to Box 587, Mount Morris IL, 61054. For change of address, please provide six weeks' notice and include old address label. *The Washington Monthly* is indexed in the Book Review Index, Political Science Abstracts, Public Affairs Information Service, the Readers' Guide to Periodical Literature, the Social Science Index, and Ulrich's International Periodicals Directory and may be obtained on microfilm from University Microfilms International, Ann Arbor, MI 48106. For reprint rights for all or part of an article call Mark Lilback at (202) 462-0128. Published monthly except combined January/February and July/August issues by The Washington Monthly Company, 1611 Connecticut Ave. NW, Washington, DC 20009 (202) 462-0128. Printed in U.S.A.

© 1995 The Washington Monthly Co. All rights reserved. Reproduction by any method whatsoever without permission is prohibited.

ISSN 0043-0633. Postmaster: Send change of address to *The Washington Monthly*, Box 587, Mount Morris IL, 61054. Second class postage paid at Mechanicsburg, PA. Unsolicited manuscripts must be accompanied by a stamped, self-addressed envelope.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tilting at Windmills

Did you read about that outstanding professor who is being fired by Rutgers because his combined publications have been found "not so thick as the usual packet for tenure"? Does Rutgers use a ruler to measure the thickness or do they weigh publications by the pound? Everyone who has been through the American education system knows that at every level there is a shortage of teachers who can be evaluated as "exceptionally talented" or "one of the best," as Richard L. Barr was. And most of us have had to endure hopelessly boring lectures by professors who have published dozens of scholarly articles but never mastered the art of classroom instruction....

In his new book, *Hard Bargain*, Robert Shogan writes that every move Franklin Roosevelt made during the fateful summer of 1940 was "politically" calculated. The author's tone is scornful. But is the leader of a democratic country not required to consider the political effect of everything he does as he seeks to create public and congressional support for the policies he advocates?

Of course, there are times when a leader must speak out despite the risks of adverse public reaction. An example provided by FDR is a speech he gave at the University of Virginia, when he described Mussolini's attack on a France already reeling under the Nazi onslaught: "On the 10th day of June 1940, the hand that held the dagger has struck it into the back of its neighbor." It needed to be said and it needed to be said that day. But every Democratic politician in every big city cringed at the thought of its effect on the Italian-American vote in an election year. Should Roosevelt be faulted for calculating the "political" consequences, as he no doubt had, before he decided to say the right thing anyway?

Today's journalists too often automatically see any attempt by a leader to influence public debate as cynical manipulation. When Bill Clinton spoke out against the Gordon Liddys recently, the media decided he was doing it for "political" reasons. Why not just give him credit for saying what should be said?...

When the women's movement emerged as a major force 25 years ago, I hoped that it would result in men imitating such admirable feminine characteristics as non-violence, not in women imitating the worst in men.

That my hopes have not been fully realized is suggested by a quote from a female rugby player that appeared in a recent issue of *The New York Times*:

"To knock a big girl down is a feeling I can't explain. You can feel the ground shake. Your head is spinning; you feel like you're floating on air. You can't hear anything but the cheering, and you're thinking 'I brought her down.'"...

James Nichols, who has been charged along with his brother Terry of conspiring with Timothy McVeigh to make explosives, "routinely railed against government" and "bragged about not paying taxes," according to *The Chicago Tribune*. But as *The Kansas City Star* reports, he didn't let these sentiments stop him from accepting $89,950 in farm subsidies from the government between 1986 and 1992....

The National Taxpayers Union is a conservative organization, but occasionally consistency leads it to take on Republican as well as Democratic pork. Such was the case when it recently attacked government benefits for the mining, ranching, and timber industries. Was the GOP reaction, "Gee, you're right. If we're going to be consistent, we have to cut this pork, too"? Not quite. In fact, the fellows lost their cool, and led by Dick Armey, sharply rebuked the Taxpayers Union for "serving as a front for the extreme environmental movement."...

My friend Gregg Easterbrook is not one of those environmental extremists who constantly allege that disaster is just around the corner. Indeed, he criticizes the extremists in his magisterial new book, *A Moment on the Earth*, and they have rewarded him with one vicious attack after another.

So when Gregg tells me he is worried that Congressional Republicans are going way too far in their effort to roll back environmental progress, I worry too because I know I'm not hearing a kneejerk reaction. Here's what he tells me:

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Republican "Clean Water" Act would allow "best" technology controls to be replaced with a lesser standard, create ridiculous layers of legalistic studies on whether water pollution control is really needed, and allow some industries and sewage treatment plants to reduce antipollution efforts already in place.

The really dumb thing here is that CWA rules have for the most part been relatively cheap and non-controversial with industry. Water discharge restrictions haven't imposed painful costs on anybody, and have gotten the portion of U.S. waters classed as safe for fishing and swimming up from 30 percent in 1970 to 65 percent today, with the numbers still rising. Remember what an open sewer the Potomac was in the seventies? Now Newt's boys are trying to undo all this progress. Most of the Fortune 500 doesn't even want the CWA undone. It's lowest common denominator logic from the bad actors of the industrial trade associations, plus generic desire by the Right to screw the Left.

Gingrich's anti-environment bill, which passed the House in January, seems to impose science logic and risk-assessment—both good ideas in the abstract—but really is designed to create gridlock by allowing industry lobbyists to sue by claiming science errors at virtually any level of rulemaking action. This bill also has a total-hypocrisy clause that suspends state standards for toxic waste dump cleanups and imposes federal standards. Republicans usually claim the states know best. But since New Jersey and other states impose waste standards stricter than the federal rules, in those cases Republicans want Washington in charge.

Dole's anti-environment bill, which is supposed to come up for floor debate in June, has all of the House bill problems plus a time-bomb clause that says (essentially) that when any cost-benefit finding (and you can find a formula that supports whatever cost-benefit conclusion you want) contravenes an existing health or safety statute, a judge may repeal that title of the statute. This would have the effect of letting industry judge-shop until they find somebody who will repeal whole portions of the Clean Air Act....

Medicare is running out of money. So why are Republicans, who claim they are trying to correct the problem, also trying to repeal the additional tax on Social Security payments to the affluent that was enacted in 1993 and specifically earmarked for the Medicare trust fund?...

Why would a Florida utility company hold its annual meeting not in its hometown of St. Petersburg but in Fort Worth, Texas? The reason, suggests Allen R. Myerson of *The New York Times*, may have had something to do with the fact that the utility's president had recently doubled his salary and stockholders were planning to present proposals to limit executive bonuses and require shareholder approval for large raises. The rebels, the company may have surmised, would be less likely to drive the 1,000 miles from St. Petersburg to Fort Worth to press their case.

One of the utility's officials must have a background in Republican politics, where hold-down-the-vote strategies have been finely honed over the years—from their recent opposition to motor-voter registration all the way back through their efforts to make it hard for G.I.s to cast absentee ballots during World War II. The Republicans' faith in the people has been touching. They obviously believed the people were smart enough that, if all of them

With Reverence and Contempt

"Are individual presidents at fault for a series of failed presidencies—or are the expectations of the American people to blame? Thomas Langston's fascinating analysis of the dysfunctional relationship between Americans and their presidents is required reading for anyone concerned with the future of American politics. The crisis of the presidency is our own."
—Michael Lind, Senior Editor, *Harper's Magazine*

HOW AMERICANS THINK ABOUT THEIR PRESIDENT

By THOMAS S. LANGSTON

Interpreting American Politics: Michael Nelson, Series Editor

$24.95 hardcover. Available at bookstores or from
THE JOHNS HOPKINS UNIVERSITY PRESS
Hampden Station, Baltimore, MD 21211 • To order, call 1-800-537-5487.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

voted, the GOP didn't stand a chance.

My guess is that they have been right about this most of the time. But now I suspect they may be wrong. Many polls suggest the majority of the people are now conservative or leaning that way. So in trying to sabotage motor-voter, the Republicans may be shooting themselves in the foot....

This magazine has been pretty tough on Hillary Clinton. From time to time, I've wanted to temper a harsh judgment we've made by praising her for being an obviously marvelous mother. Each time, my colleagues have restrained me: "Charlie, you can't say that. It sounds so condescending." And each time I've yielded because I've realized a lot of people *would* read condescension into my words. But the more I think about it, the more I'm troubled by this issue. Being a successful parent is one of life's great triumphs. It's a challenge that many fail to meet. And those like Hillary Clinton who pass the test with flying colors deserve our admiration....

Have you heard about the Fanjul brothers? Their combined fortune is said to exceed $500 million, which is understandable since the government's sugar program produces about $65 million a year for their Florida cane by letting them charge eight cents per pound more than the world price while imposing strict import quotas on foreign sugar.

These fellows, by the way, are not American citizens. They're Cuban-born and have Spanish passports. But because they are members of a minority, they qualify for the government's minority set-aside program, which is, according to the *Miami Herald*'s Carl Hiaasen, enabling them to get a substantial amount of Florida municipal bond business, in addition to the millions they're making from the sugar program....

The writer Helen Hill Miller recalls Washington in 1930 as a place where newspaper bureau chiefs frequently assigned arriving young journalists to the White House on the grounds that "nothing really newsworthy was likely to break there." These days, star reporters compete for White House assignments. But this talent is largely wasted. They would be better used in the field finding out what the government is actually doing about the principal problems of the day. This should be the great function of journalism, not sitting around the White House Press Room trying to think of nasty questions to ask the president and his staff.

Of course, some reporters, even when they go to the field, still use the same query-the-big-shot technique that they employ at the White House. The late Joe Alsop, for example, proclaiming himself a member of the first-hand look club, said "Go and see for yourself." But his favorite example was a dinner party given by the British ambassador to China, where Alsop no doubt acquired the bad information that led to his undermining of General Joseph Stillwell, who was trying to get the Chinese nationalists to fight the Japanese, and his unwavering support of Chiang Kai Shek, which helped Chiang get away with not fighting. The trouble with Alsop's technique is that too often the big shots either don't know the truth or got to be big shots because of their skill at concealing it....

Who won the Vietnam War? One indication is that the recent celebration of the 20th anniversary of the fall of Saigon—now Ho Chi Minh City—was sponsored by Pepsi Cola. Philip Shenon of *The New York Times* reports from there: "The ambitious capitalists of this city are pointing the way to Vietnam's future—rushing into the free markets that today even the Communists must grudgingly endorse."...

On the matter of Robert McNamara's recent book, I had been a member of the "He should have said what he thought then, it's too late now" school until I read this letter to the editor of *The New York Times* from Gordon Shull of Wooster, Ohio:

"Imagine a country in which Kermit Roosevelt confessed that the CIA subversion of Mohammed Mossadegh in Iran had been based on misconceptions, and would prove disastrous; Allen Dulles wrote that the restoration of Carlos Castillo Armas to the presidency of Guatemala had, by hindsight, removed an authentic nationalist reformer, enmeshing us in military oppression; Henry Kissinger granted that he was wrong in assuming that the salvation of Latin America required the subversion of Salvador Allende, and a series of Presidents and secretaries of state admitted their crusade against Fidel Castro served mainly to give him a scapegoat for failures.... The air would be a great deal fresher in a world where ex-diplomats told the painful truth." In all these cases, including McNamara's, it would have been preferable if the truth had been told immediately. But later is still definitely better than never....

Speaking of Guatemala, that association of sordid thugs and goons a.k.a. the Guatemalan army has been subsidized by the CIA for years. How about human rights, asked Congressional overseers? Not to worry, replied the CIA, which, according to *The Washington Post*'s R. Jeffrey Smith, said "Human rights ... was a priority topic in the Guatemalan military

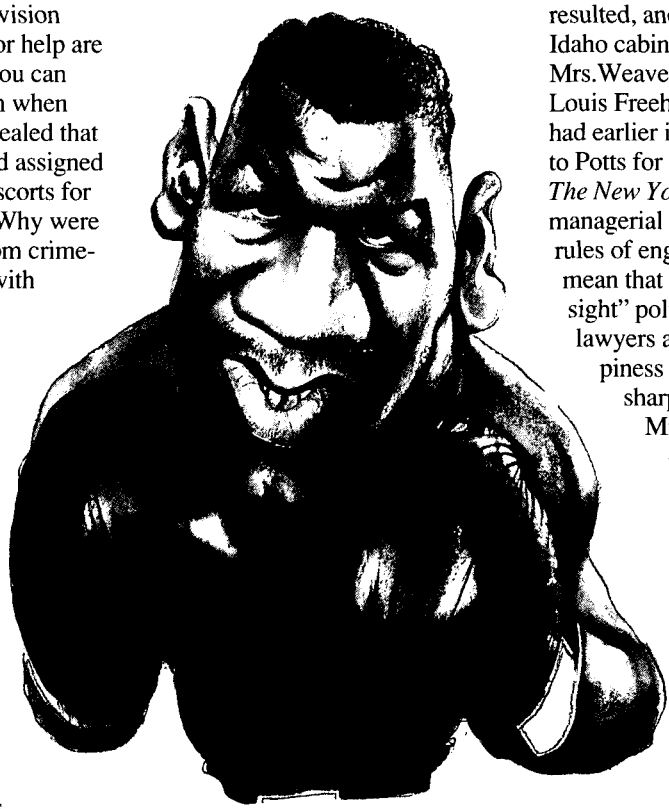
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

intelligence school created with CIA funds." It must have been a noncredit course....

As you probably know, the District of Columbia is worse than broke. And as you almost certainly know, we have a serious crime problem here, with police districts "dangerously understaffed," according to a recent television report that added "calls for help are going unanswered." So you can imagine the local reaction when *The Washington Post* revealed that our police department had assigned two detectives to act as escorts for ex-convict Mike Tyson. Why were detectives taken away from crime-fighting duties and paid with scarce taxpayer funds for such an assignment? An official explained to the *Post* that it was "because it's important for the city to make a positive impression on celebrities such as Tyson so they will visit the city again."...

One reason there aren't enough police on the street, or enough personnel to pick up the trash, or even the rotting dog and cat carcasses at the D.C. animal shelter, is the Chiefs-to-Indians ratio. In 1968, police districts here had two big shots, a captain and a lieutenant. By 1990, when Scott Shuger investigated the matter for this magazine, each district had a deputy chief, four captains, and 21 lieutenants. Where L.L. Bean has a ratio of one Chief to 10 Indians, and Federal Express has one to 20, by 1990 the District's Department of Human Services had almost one to two and the Public Housing Department about one to one. So the reason the District has the highest payroll per capita in the nation with the lowest practical result for the average citizen may be that there are far too many officials sitting at desks giving orders instead of carrying them out...

I'm with the 500 air traffic controllers who are protesting plans to privatize airline safety. It would be insane to let the airlines regulate



themselves. But it's also true that the FAA has not been doing a good job and requires drastic improvement. Particularly on life-or-death issues, it should be subject, we recently argued, to the orders of the tougher National Transportation Safety Board. Another FAA need is authority from Congress to buy the sophisticated computers required for a modern traffic control system. And it needs more controllers at some of the busier airports, such as the three in New York which are so understaffed that controllers are now having to work six-day weeks. The tension is so high on these jobs that a six-day week is surely inviting disastrous mistakes....

Are you a little troubled by Larry Potts? He's the newly named deputy director of the FBI who had earlier presided over the FBI's raids on the Branch Davidian compund in Waco, where the tragic fire resulted, and on Randall Weaver's Idaho cabin, where an innocent Mrs.Weaver was shot and killed. Louis Freeh, who promoted Potts, had earlier issued a letter of censure to Potts for failing to provide what *The New York Times* calls "proper managerial oversight regarding the rules of engagement." Does this mean that there was the "shoot on sight" policy that Weaver's lawyers allege led to trigger-happiness on the part of the FBI sharpshooter who killed Mrs. Weaver? If not, what do the words refer to?

As for the Waco raid, there is some evidence that the pressure put on Janet Reno to authorize the final raid came from the FBI agents who were tired of sitting around outside the Branch Davidian compund and just wanted to get things over so they could go home. Was Potts part of the pressure? Shouldn't we be told?...

I hope the major news organizations will do an assessment of the impact of NAFTA. One reason for my interest is a report in the April 30 *Tallahassee Democrat* that says tomato imports from Mexico have quintupled, but that the result as of February this year was not lower prices for consumers, but higher profits for wholesale brokers whose take had increased by $4 to $5 a carton....

Roman Genn

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

There has been so much talk about downsizing that I'm beginning to yearn to hear a call for upsizing. Of course, there was a lot of fat in corporate America and a considerable amount still exists in many government agencies. But someone should begin to think about creating jobs to replace all those that are being eliminated. Now that our industries are lean and efficient why don't they expand to seize market share from our international competition? Even in government there are places—such as New York's air traffic control—where more workers, not less, are needed. Head Start is another example of where more—and better—teachers are needed so that the program can effectively reach all the children who need it....

One reason that tough but fair regulation is so important to the health of this country is that the generosity of the American character is accompanied by fear of being a sucker. We want to be like Huck and Jim but we don't want to be conned by the King and the Duke.

This means that the entrepreneur who wants, for example, to protect the health and safety of his workers will be deterred from doing so if he fears that it will cause him to lose ground to his competition. But if everyone in his industry has to follow the same rules, then doing the right thing will not make him a sucker. So rules and regulations can actually free people to be generous, to do the right thing....

One of the places where more regulation is needed is the office of your friendly stockbroker—the Dean Witters, Merrill Lynches, and Smith Barneys. One problem is that brokers can earn more income by churning your account than by improving its value. Brokers are paid commissions when you buy or sell, so they have no financial incentive to encourage you to hold, even though holding onto good stocks can earn you plenty of money. Many offices also pay their brokers a higher commission for selling the company's own mutual funds, even when the competitor has a better product. And then there are the sales contests: Your broker's enthusiastic recommendation to you may be based less on the wisdom of the investment than the fact that the sale might help him acquire a tan on the beach at Waikiki—or at least a set of steak knives.

The SEC's chairman, Arthur Levitt, puts it gently when he says, "The perception is strong that compensation practices create conditions that foster abuse." The SEC is suggesting that the brokerage industry "consider" reform. What Levitt should do is order it.

One reason the SEC approaches issues in a way that shows it knows the rackets, but isn't really cracking down on them, is that many of its employees are smart enough to know what's wrong in the industry they regulate but also ambitious enough not to risk lucrative employment in that industry after they leave the SEC. Evidence of this ambition was inadvertently revealed during a local divorce proceeding several years ago when the husband pleaded poverty on the basis of his $70,000 SEC salary, and the wife replied by telling how he had bragged to her that he expected to cash in to the tune of $300,000 or so per year when he sold his expertise to a private employer...

The recent "Nova" episode, "Making of a Doctor," reminds me of the danger of having exhausted young doctors make life-or-death decisions. One of them says, "The fact that I care about patients becomes less important than the fact that I am absolutely strung out and absolutely can no longer think anymore."

Remember that the *Monthly* has a solution to this problem. It is to require senior doctors, as a condition of having hospital privileges, to take night duty a few times a year, thus relieving the burden on the young and making sure someone with a little gray in their hair is around to help with critical decisions...

An update on our friends at the bar: In West Virginia, U.S. District Court Judge Charles Haden II revealed that a Huntington lawyer had collected $122,000 in fees for winning $63,000 for his client, a woman who had been the victim of rape. "You might say," observed an editorial writer for the *Charleston Gazette*, "she was raped twice."

U.S. News and World Report has

H.L. Mencken

A SECOND MENCKEN CHRESTOMATHY

A new selection from the writings of America's legendary editor, critic and wit

"A sparkling successor to the first Chrestomathy."
—Booklist

Edited by Terry Teachout
Published by Knopf

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

revealed that 29 law schools seeking to place higher in the magazine's annual ratings inflated their incoming class's LSAT scores to show how they were attracting the cream of the student crop. Mel Elfin, who's in charge of the *U.S. News* survey, said he was "appalled by the distortion," remarking that he had a parade of law school deans telling him other schools were lying about their numbers.

Finally, *Tax Notes*, a sober publication specializing in taxation, asked the seven members of the Supreme Court, who took those trips to luxury resorts financed by West Publishing Co. while litigation affecting it was pending in federal courts, how they treated the trips on their income tax returns. The response from the Court's public information officer: "The above-named Associate Justices and Retired Associate Justices of the Supreme Court of the United States all decline to respond...."

With all of these reports in mind, you will understand why I was dismayed to read in the *Oakland Tribune* that the United States has between one-quarter and one-third of all the lawyers in the world even though it has only one-twentieth of the population. The number of lawyers in America has quadrupled since 1960 although the population of the country has grown only 45 percent....

You're sitting there in the law library of some prestigious Wall Street firm—a Sherman & Sterling, Davis Polk, or Sullivan & Cromwell—your eyes and your brain glazing over as you peruse the fine print of a boring book trying to find tax loopholes for a Donald Trump or a Kirk Kerkorian. Wouldn't you really rather be doing work that counted, and that didn't leave your skull numb? Get into the public schools, where you can mean something. In half the states, alternative certification means you can get a job without having to take a lot of dumb education courses. And there are a lot of places where the pay is decent.

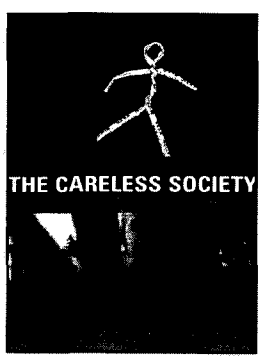
Consider Betty Hobbs, who just left a public school principal's job in Arlington, Va. that paid $70,000 for one in Alexandria where she'll receive more than $80,000.

Her job change inspired a six-column story in *The Washington Post*. Why? Because she had meant so much to the school she was leaving that Arlington parents reacted with what the *Post* describes as "an avalanche of anger" at the school that had let her leave. Will the people of New York care enough about your contribution to their lives to rise up in anger when you leave Davis Polk? Save yourself while there's still time....

—*Charles Peters*

BASIC ISSUES

Do "social services" undermine neighborhoods?



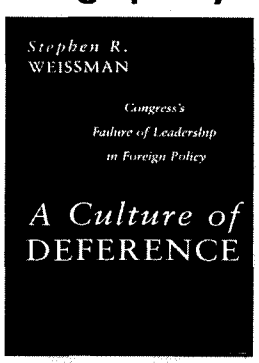
How the experts' best efforts to rebuild and revitalize communities are in fact destroying them.

Should government be in the arts business?

ART LESSONS
Learning from the Rise and Fall of Public Arts Funding
ALICE GOLDFARB MARQUIS

"A lively, slashing history of public arts funding in the U.S. from the end of World War II to the present."
—PUBLISHERS WEEKLY

Should Congress stay out of foreign policy?



How congressional deference to the presidency and State Department has led to foreign policy failures in Bosnia, Haiti, and elsewhere.

BasicBooks
A Division of HarperCollins*Publishers*

At bookstores or call toll-free 800-331-3761
Also available from HarperCollins*Canada Ltd*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Lonely Hearts, Classy Dreams, Empty Wallets

How home shopping channels prey on the hunger for class and companionship

BY AMY WALDMAN

After a man died several months ago at the Virginian Retirement Community in Fairfax, his family went to collect his worldly goods. They found more than they bargained for: His home was crammed, floor to ceiling, with possessions they never knew he had. There were kitchen gadgets, costume jewelry, bed linens, and cleansers, all by the dozens.

He had bought it all from the world's most accessible stores: the home shopping networks that came through his television into his living room 24 hours a day, seven days a week. This man, whose name the retirement home withheld for privacy, ordered a package from QVC or Home Shopping Network (HSN), the two leading home shopping channels, almost every day. Some of what came he gave away. Most of it simply piled up, unused.

What had brought him to line his walls with the fruits of home shopping? In a word, companionship. Home shopping hosts didn't just sell to him—they spoke to him. An employee at the Virginian recalls that the man spent a lot of time by himself. He did not make friends easily and he spoke of being lonely. But when he bought, he said he could keep operators chatting to him for half an hour. He had found a way to fill his days and sleepless nights.

He was not alone in his discovery. As the hours cycle past on home shopping channels, the disembodied voices of buyers, calling in to offer "testimonials" on their purchases, float above the sparkling descriptions of cubic zirconium jewelry. Most are female—Dorothy from Daytona, Betty from Fresno, Helen from Mexico City, Indiana. Many of the voices are beginning to crack with age. And their extraordinary enthusiasm for the products—and the hosts, and the show itself—masks something else: a deep, abiding need for human contact. "I live alone," says a woman named Erma who calls in on a Monday morning. "All I've got to do is watch QVC."

To Erma, the man from Virginia, and many others like them, home shopping channels sold more than $3 billion of goods last year. QVC, which stands for Quality Value Control, alone sold $1.4 billion worth of goods in 1994, logging 55 million phone calls. The channel is the world's largest purveyor of gold jewelry. It once sold $1.4 million worth of Kodak products in 70 minutes and $1.9 million of Mighty

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Morphin Power Rangers paraphernalia in two hours. In a record day, it took $18 million in orders. The second-place Home Shopping Network, or "Club" (as it's known on the air), nearly matches that pace.

That the two channels, and a host of smaller rivals, could do so well runs counter to conventional wisdom, for in an age of ironic, sophisticated advertising, the home shopping pitch seems amateurish. The camera zooms in on an item, which rocks back and forth, back and forth on a pedestal; the hosts, in living-room sets, praise each bauble in a frenzy of superlatives. A clock counts down to whip up a sense of urgency as the number sold mounts on the screen. The suggested retail price hovers above the low, low home shopping price.

Many of the goods—imitation jewelry, collectibles, gadgets, polyester pantsuits—are junk, often selling at more-than-junk prices. And while "convenience" is a favorite home shopping buzzword, the description could not be less apt: It might take hours, even days, of home shopping viewing to come upon something you need.

Spend some time in front of the television, though, and you sense that while the pitch is predictable, it is anything but amateurish. As low-tech as they are, the home shopping networks understand that the real work of advertising is not to publicize bargains—it is to appeal to deeper needs. They turn their constant, mesmerizing presence and viewer participation into a mock community, a "universe," as QVC calls it, that seems to break the isolation television perpetuates. And even for those who are not lonely, home shopping promises something else: the lives of the rich, the famous, the glamorous—on the cheap, and just a phone call away.

Someplace Very Special

Home shopping is just one more chapter in the evolution of marketing to a consumer culture—a process that began in earnest in the twenties and accelerated with the post-World War II economic expansion that established America's middle class as a potent consumer force. In response, advertisers went to work creating what one General Motors executive called the "organized culture of dissatisfaction"—bringing out new, "better" models each year so previous models seemed inadequate, or offering consumers a choice of, say, 15 shoe colors so one no longer seemed enough.

Advertisers were so successful in unleashing desire that a traditionally frugal nation began to redefine "need" as whatever ads told them they had to have. It was the creation and fufillment of these needs that John Kenneth Galbraith probed in his 1958 classic, *The Affluent Society*. Ad men, he wrote, "are effective only with those who do not know what they want. In this state alone, men are open to persuasion."

In such a culture, home shopping, with its introduction of newer, better items every 10 minutes, finds fertile ground. The channels target the credit-card carrying working and middle-class consumers who may have enough but can be persuaded they need more. "It's things you need, but you don't realize you need," one regular home shopper tells me. "But then you see it and it looks so good."

Between midnight and 1 a.m. one night, QVC sells 8,400 terrycloth robes ($24.95 apiece—the day's "special value"), an item the host also pushes as "a beach cover-up." Nancy calls from Middletown, Ohio. "What did you like about the robe?" the host asks. "Well, I thought it would make a nice beach cover-up," Nancy says. "Do you live near a beach?" asks the host. "No," admits Nancy, "No, I don't."

In their effort to cultivate such needs, the effervescent female home shopping hosts and their unctuous male counterparts know their audience well: more than 80 percent female, mainly middle-aged or older. Occasionally, they fall back on the tactics glossy women's magazines have used for decades to target younger women in the prime of their insecurity. "Summer's coming up," says the no-nonsense marketer of a nail buffing kit. "That means beach weather, that means sandals, ladies. Do you want to show your toenails the way they look right now? ... If you're not picking up our kit today, you're a loser."

But most often, the hosts head straight for the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

class-anxiety jugular. They play to a modern-day version of Gustave Flaubert's Emma Bovary, the woman who drives her family into debt because of her conviction that material things will bring some sort of transcendence from her bourgeois existence. "In Rouen she saw ladies with charms dangling from their watch fobs; she bought some charms.... Though she had no one to write to, she had bought herself a blotter, a writing case, a pen, and envelopes."

In America after the twenties, the rich held their edge over the Bovarys not by the gaudiness of their wealth but by their elite tastes—knowing the right vintages or the right vacation spots, which meant shunning Cancun once the Smiths from Des Moines could afford it.

In the eighties, arguably for the first time since the twenties, conspicuous consumption came back into style. Television programs like "Dallas" and "Dynasty" ogled the lifestyles of the rich and famous, and the media elevated moneymakers like Donald Trump to celebrity status. Taste was suddenly very, very expensive. For those on the outside looking in, the problem was, as home shopping hosts put it, how to get gemstones at costume jewelry prices.

Ivana Trump: Class for sale.

Into this anxious void rushed HSN, which went on the air in 1985, and QVC, which followed a year later. Both began offering truckloads of low-quality "luxury" items, most of it costume jewelry and imitation gemstones—merchandise that caters to the need to look like you have more than you do.

Home shopping pretends to offer the requisite knowledge to establish good taste. For several hundred dollars, the host sells a rug and the conversation to go with it: "Well, it's an Aubusson rug, it goes back to the time of Louis XV, Marie Antoinette and so on.... It's made from long-haired sheep in Northern China. They have long hair because it gets very cold up near Siberia and Mongolia...."

Halfway into the downscaled nineties, though, what home shopping really pushes are the values of the eighties. "This bracelet says money, money, money, money," QVC's Gwen Owen gushes over a fake diamond bracelet, which sells for $80. The home shopping hosts are marketing the pearly gates of upper-class heaven. They just happen to be *faux* pearl.

That this market is a gold mine is apparent in the cadre of celebrities—from Pete Rose to Joan Rivers to John Tesh—who now peddle on home shopping channels. Since home shopping is about making excess affordable, it's no surprise that among the most popular celebrity-salespeople are the icons of the eighties. A decade ago, on "Dallas," Victoria Principal embodied everything out of reach. Today, on QVC, dressed down, with minimal make-up, she's in middle-America's living room, eager to talk and take calls. Her presence seems to represent a leveling, an accessibility unprecedented in American culture.

The idea is tantalizing, but deceptive. The celebrities foment status anxiety as successfully from a living room like yours and mine as they did from the pages of glossy magazines a decade ago. HSN showcases Vanna White, the "Wheel of Fortune" letter-turner who rocketed to fame in the eighties by wearing a different designer dress every night, and who now, stripped of her gowns, sells her own label clothes and shoes on Home Shopping Club. A woman calls in to tell Vanna

Mohammed Fadl

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

she has 20 pairs of Vanna White shoes, and begins listing the colors: red, white, gold, silver.... "I'm so happy to hear that," White interrupts, "but do you have this one?" She is holding up a shoe described as "halfway between gold and silver."

And then there is Ivana Trump, perhaps the ultimate emblem of eighties excess-as-success, a woman, her co-host Bobbi reminds us, "who knows what it is to roll down Rodeo Drive and go shopping." In her pink silk "House of Ivana" outfit, girlish blond curls, and what looks like tens of thousands of dollars of plastic surgery, she comes on HSN to share her designs and her secrets (and plug her new book). She is holding out a hand from the Beautiful People to the Little People.

To belong to the home shopping "club," you have to buy. And that is how home shopping channels prey on the lonely, the alienated: by offering a haven, then charging admission.

"You have the opportunity to have in your wardrobe items that Ivana has in her collection," co-host Bobbi observes, "and that takes you someplace very special." You can, Ivana explains, wear an outfit "to drop your kids off in the morning, go to the doctor, go shopping, put some earrings on and go to a lovely lunch. It's perfect for a cruise."

That women are unnervingly grateful for these nuggets from Park Avenue, Palm Beach, and Hollywood lives is a poignant reminder of just how central an issue class continues to be in American life. "You can afford anything, Ivana," one caller says, "and due to you, people like me—I'm a nurse—can too. We live vicariously through you."

But even as Ivana seems to forsake her class advantage, she leverages it. Her perfume must be good because "I could purchase any perfume in the world," she boasts. "Silver is in this year," she proclaims. "I aleady knew that last year, because I go to parties ... I'm always dead ahead." And then comes the tease: "But now everyone's going to catch up to me."

Truth is, Ivana has no intention of letting everyone catch up to her. "I have a suggestion," a caller named Anne says to Ivana. "Everyone is crazy about your engagement ring. You should do it in imitation stones and put it in the collection." Ivana giggles: "I have to discuss it with my fiancé. I don't think he will like it. He'll say, 'I spent millions on it and now you share it with the ladies?'"

In the end, home shopping channels peddle only the illusion that you can fake your way into the upper class, that snobbery can come cheap. They are less interested in democratizing status than preserving the status quo. Like all home shopping hosts, HSN's Alan Skanz regularly plugs cubic zirconium by asking: Why pay for diamonds when you can get Como Diamante (as they call the imitation gems) for so much less? "You are going to walk into a room," he says, "and people are going to think you spent $15,000 for these earrings." So it seems a cruel joke when one afternoon he sells a diamond ring by mocking its cheap cousin: "Enjoy your cubic zirconium," he says sarcastically. "I have a *real* diamond."

24 Hours of Sunshine

In their possession of an audience's hopes and fears, home shopping hosts are like no one so much as the fictional advice columnist in Nathaniel West's 1933 novella *Miss Lonelyhearts*. A young reporter takes the job as a joke, but then realizes that the letters to him are genuine expressions of suffering. Even worse, their writers take him seriously.

"Dear Miss Lonelyhearts...." begin the letters from "Desperate," "Disillusioned-with-tubercular-husband," "Sick-of-it-All." "On most days," West wrote, "he received more than 30 letters, all of them alike, stamped from the dough of human suffering with a heart-shaped cookie knife."

The pain in his correspondents' lives, and his own powerlessness to help them, eats away at Miss Lonelyhearts. For each letter, he searches for a sincere reply, and always, he comes up empty. Finally, unable to bear the pathos of human existence, he is driven to self-destruction.

Today, the lonely and desperate turn to home shopping hosts who seem to have no such interest in acknowledging the limits of their powers. They

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

appear perfectly comfortable marketing miracles. "It's raining," says one caller with a hint of sadness. "We'll keep the sunshine going," Bobbi replies.

Another host reads a written testimonial from Bethlehem, Pennsylvania. The letter begins like any to Miss Lonelyhearts could: "I was really at a low point. I needed something." But then comes a distinctly un-Westian salvation: "Then someone turned me onto Destiny Perfume. It smells so good that it has really given me strength to go on for me and my family."

When real pain and loneliness do seep through, the home shopping solution is to studiously ignore it. Alan and Wendi are plugging a diamond ring. Edna from Ohio calls in. "If you think your life is going pretty good right now, wait until you buy this ring," says Alan. "Well actually," Edna responds. "It's going pretty bad." Her words vanish, unacknowledged, beneath the chatter of the hosts.

"Until Debt Do Us Part...."

Sally from Chicago has bought some perfume, and she calls in to talk about it: "I'm lying in bed, this is my day off, I'm being a princess." Her voice is raspy with age and cigarettes. She works in a store, and says men tell her how good she smells. "That's wonderful," the host asks, and then asks, suggestively, "Did you put some on before you went to bed last night?" "No," says Sally. "I'm a widow."

When women describe their bouts with cancer or their hospital stays, as many do, the testimonials become farcical struggles between hosts trying to truncate the calls or push them toward the product-driven point, and callers hanging on for dear life, trying to prolong the conversation.

The question is why anyone would turn for comfort to talking heads out to make a sale. The answer lies partly in the same post-World War II social transformation that gave more Americans spending power. With increased income, Americans moved into dispersed suburbs. As women moved into the workforce, neighborhood networks and social clubs shrunk, isolating the women left behind. Driven to spend more, men and women worked more. Families broke more easily, and even those that held together felt the pressures of work and mobility. And television pulled us off streets and front porches and into living rooms.

As political scientist Robert Putnam writes in "Bowling Alone, Revisited," affiliation to organized religion, parental involvement in schools, participation in voluntary associations have all declined over the past two decades. Our community participation now takes the form of writing checks to organizations.

So it's not all that surprising that people have figured out how to line their pockets by bleeding our unhappiness. Harder to come by naturally in our social environment, connection has become a commodity. Well before home shopping offered purchasing as a path to salvation, televangelists were offering prayer, usually for profit. Pat Robertson's 700 Club, for example, markets itself as "Friends you can turn to!" and tells viewers, "You're like a part of the family!" The Club's prayer counselors, on call seven days a week, 24 hours a day (1-800-Help-4-Me) took 1,785,000 calls last year. Most callers ended up paying to join the Club.

To belong to the home shopping "club," you have to buy. If you don't, you can't go on-air to talk to your friends, and you can't win their approval. And that is how home shopping channels prey on the lonely, the alienated: by offering a haven, then charging admission.

Despite the cynical sell, it's not hard to understand the appeal of home shopping's soothing,

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ever-positive hosts, who respond to their devoted customers with matching enthusiasm: "Thank you so, so, so much for calling in today.... We took a risk and brought some new items. You responded with an outpouring of support—and we love you for it."

The format plays on our nostalgia for a simpler, friendlier time. The cheery home shopping pitch—"Get some coffee and OJ and come right back!"—is a far cry from the bleak, unsmiling Calvin Klein ads that characterize the cutting edge of advertising today. The home shopping hosts exclaim "Nice to meet you!" and "Thanks for stopping by tonight!"—as if the caller had ambled into the corner store in a small town for an evening's gossip.

In its evocation of Tupperware parties, the kaffeeklatsch, Mary Kay cosmetics saleswomen stopping by your home—all traditions that have fallen, or are falling, by the wayside—home shopping hearkens back to the past in another way: It speaks to women as they were before women's liberation. Callers are "honey" and "dear." "That executive look" is just another fashion statement. Women lunch, they shop, they entertain, they go on cruises, they have craft parties. Femininity sells. Dolls, cooed over by hosts as if they were children, are very popular.

Watching this throwback to another era, it's easy to forget that for many women, the underbelly of that era was a gnawing sense of dissatisfaction. But that's the idea: to banish both the dark side of history and the bright side of real life from living rooms. For a woman like Dorothy from North Carolina, who says, "I watch home shopping from the time I get up until my husband comes home from work," home shopping channels affirm, indeed encourage, her choice to wile away her days with them. "I hope you're going to stay with us for the whole show," hosts implore callers.

The community that home shopping offers is made even more enticing by something no real community can offer: anonymity—the freedom to dream without being judged. The flip side of that, though, is the absence of any of the complex, enriching interactions, images, or conversations of daily life. There is no such thing as neighborliness or charity or civic virtue in this universe, no relationship that extends beyond the purchase.

Telefriend

In fact, home shopping is the latest advancement in business's quest to make spending money as painless as possible, an effort that picked up steam with layaways and installment plans in the twenties and made a quantum leap with credit cards in the fifties. Academics have proven what common sense suggests: We spend more with credit cards because it feels like we're spending nothing. That's one reason that debt, once a social embarrassment, has become socially acceptable, and why consumer debt in the United States today is close to $1 trillion.

Before, advertisers had to make their message powerful enough to motivate shoppers to go to a store. Now it just has to be good enough to get you to pick up the phone. After your first purchase, your credit card number is in the computer. You can punch your "membership" number and the item number into an automated voice system, or feed it to a friendly operator. That's not what spending money feels like.

And so women call to confess they have "maxed out" on their credit cards, or to offer thanks for "flex" and "easy pay" plans that enable them to keep buying while putting off the paymaster. "I've got about two-thirds of your things," Vada Sue from Winston-Salem, North Carolina, tells Home Shopping Club when she calls in to make yet another purchase, "and you all have about two-thirds of my money."

The marriage of technology and commerce will make consuming ever more convenient: Our homes can become retail outlets, we can visit virtual shopping malls from our couches, shop for new homes on CD-ROM. We will, in other words, never have to leave home to fill the needs that marketing creates.

The potential is enormous, but so are the implications. One virtue of the postwar consumer binge in America was the number of jobs it created in manufacturing and retail. But over the last decade, automation of industry eliminated many manufacturing jobs, and now retailing is automating too.

"We don't need bricks and mortar," QVC president Douglas Briggs boasted to *USA Today*. "We can cover the whole nation with twenty salespeople." QVC racked up $1.4 billion in sales last year with a mere 6,100 employees, and that's

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

only the beginning. Shopping services are going on-line; stores are experimenting with robots in place of human salespeople. Since 1989, more than 411,000 retail jobs have been eliminated. The reduction of labor, and costs, is great news for corporations like QVC; it's lousy news for Americans who at least could count on a consumer culture to provide jobs.

And then there is the human cost, the deepening of isolation, the erosion of live—in the human, not television, sense—communities. If the success of home shopping portends the future, marketing will turn to ever more sophisticated attempts to play on our nostalgia for what we've lost, to peddle connections to other people via commerce. Take First National Bank in Chicago, which now charges $3 for the use of a human teller rather than an automated one: Getting some warmth requires cold cash.

Home shopping foreshadows what's so insidious about that prospect: Even as QVC and HSN try to mimic the feeling of community, they draw us, as television always has, even further away from the real thing. At 6 a.m., a woman named Doris phones HSN to purchase a portable copier for $229. "How are you?" the host asks. "Fair," Doris replies, her voice shaking slightly. She explains that she orders things from home shopping and mail order catalogues, forgets what she orders, and then orders them again. She wants the copier to keep track of her purchases.

"Good idea," the host says, smothering her pathos with his enthusiasm. "And running down to the corner copier is *so* inconvenient." Doris will have her copier. And she will be yoked even more tightly to an isolation that only her television—and another purchase—can penetrate. □

The Washington Monthly

Journalism Award

March 1995

Mark Tatge
The Cleveland Plain-Dealer

When Ohio Detective Arthur Taliaferro retired from the Cleveland police force after being indicted for felonious assault, he realized that a conviction would make him ineligible for service retirement benefits—so he applied for disability benefits. In recent years, Ohio's $5 billion Police and Fireman's Disability and Pension Fund has awarded disability benefits to over 80 percent of officers who applied, after powerful police and fire unions successfully lobbied to broaden the definition of "disabled." Tatge's three-part series details how taxpayers foot the bill for corrupt officers and injuries unrelated to police work. Taliaferro, who served eight months in prison, now receives yearly disability payments of more than $20,000.

Tom Hamburger and Sharon Schmickle
Minneapolis Star-Tribune

For a modern example of the age-old adage, "I'll scratch your back if you scratch mine," see this sweeping and exhaustively researched series on the jockeying of West Publishing Co. for control of the legal publishing industry. West has a virtual monopoly on the system of citation for federal court cases. To perpetuate its dominance, West laid out millions of dollars in contributions, "awards," and free trips to law librarians, congressmen, and most disturbingly, Supreme Court justices and federal judges. The beneficiaries of West's gifts all had judicial, legislative, or purchasing power over the publisher and its competitors, and time and again they acted on West's behalf.

The Monthly Journalism Award is presented each month to the best newspaper, magazine, television, or radio story (or series of stories) on our political system. Nominations for any newspaper, magazine, or radio or television station in the country are welcome. The subject can be government in its federal, state, or municipal manifestation. Please send nominations to Monthly Journalism Award, 1611 Connecticut Ave. NW, Washington, D.C. 20009. Two copies of the article or broadcast text should accompany the nomination. Nominations for stories published or aired in May will close June 15. The winner will be announced in the September issue.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Robber Barons of the Information Highway

Telecommunications companies promise the digital kingdom of heaven. Don't count on it

BY JOSHUA WOLF SHENK

Six American kids on a basketball court. They run hard, weaving in and out of one another, and slashing to the basket. "Trés bien," one says to another. "Trés bien."

"Some kids are practicing French outside the classroom," intones the voice of James Earl Jones, "thanks to Bell Atlantic's interactive video distance learning." The ad cuts to a classroom, where a teacher calls out from a television screen at the head of the class: "David! Le chapeau si vous plais!" David, fresh from the basketball court, looks up from his desk confused. "Your hat," says the kid behind him loudly, and they laugh. The teacher's stern visage gives way to a smile. "Merci."

In living, breathing reality, this commercial shows the true potential of "the information superhighway." Maybe those four students live in a rural district. Maybe their school can't afford a full-time teacher's salary. In the world to come, the commercial says, deserving kids will have an easier time finding good teachers. Another Bell Atlantic spot shows doctors working from remote locations—"telemedicine." Still another shows a tiny community on isolated Tangier Island, Virginia. A fisherman talks face-to-face with people in Norfolk ("I can let you have 25 bushels of number-one hog crabs.") In Tangier, too, the kids learn from a teacher on a TV screen:

> TEACHER: When you understand the culture, you understand the what? James?
> JAMES: You understand the people.
> TEACHER: Good. And what does that help us do? Cara.
> CARA: Understand each other.

Technology that brings people together and brings out their best: that is the future promised by companies like Bell Atlantic, AT&T, and Time Warner. Their promises matter because it is private investors, not the government, who will finance and build the coaxial cable and fiber-optic "roads" that will make up the superhighway network.

But when I looked for signs of dedication to learning and civic improvement at Bell Atlantic's interactive demonstration project in Arlington, I was disappointed. I was shown a computer screen with the image of a small city, with an elegant town hall, a school, and a hospital. But point and click and ... not much happens. The real action is in the virtu-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

al shopping mall—with dozens of catalogues and video games. "Ultimately," insists spokesperson Joan Rasmussen, "there will be communication from house to house and education and all that."

Yet as Congress works on the first major telecommunications bill since 1934, Ramussen's words ring hollow. Telecom reform does have its pitched turf wars—long distance companies like AT&T and MCI, for example, want to keep the Baby Bells out of the long distance business for as long as possible. But the real story is where industry is firmly united: against the two basic concepts that would ensure that the public, not a few huge info-conglomerates, can decide what will be on the information superhighway. The first, known as "common carriage," would require companies to serve everyone for the same price, preventing them from forcing folks they don't like off the roads by spiking prices. The second is known as "open architecture," and it would prevent the private builders from running all the roads through a central hub that they control.

The Internet shows the true promise of the information superhighway. But telecommunications companies—and the lobbyists doing their bidding—want to give us souped-up cable TV.

Industry has a very different vision in mind. As Bell Atlantic's demonstration center indicates, the money isn't in schools or health care, but home shopping, movies, and video games. Interactive TV, Bell Atlantic chairman Raymond Smith has said, "will turn us from a nation of couch potatoes into wheeling, dealing video-jocks. Click! Order a pizza. Click! Order a Cindy Crawford video."

And, with thousands of lobbyists on Capitol Hill, industry is winning the argument. Their extraordinary financial clout—telecommunications companies gave Congress $50 million in PAC money from 1984 to 1993, according to Common Cause—combined with poor leadership has pushed the important issues to the side.

"The public interest vision—the potential of this network—has been driven out as a subject for legitimate policy debate," says Andrew Blau, chairman of the Benton Foundation, which works with non-profit groups on telecommunications technology. "The conversation is structured as a horse race between various businesses. There's a hand-waving that goes on, 'Oh, don't worry about that. Benefits will flow to everyone.' But there's no evidence that that's the case here."

One of the industry lobbyists' greatest assets is that the public understands so little about what is at stake. American communications has historically been divided up by mediums, each with its monopolies. AT&T ("Ma Bell") controlled all phone service practically from the beginning, until federal courts split the company into a long distance company and smaller "Baby Bells" to provide local service. Cable television is a series of monopolies regulated by local commissions. Cellular communications has two providers in each market.

Recently, though, advances in technology have blurred distinctions among these mediums. With increasing ease, television can be transmitted digitally through telephone wires, telephone service can be delivered by satellites or cable, and so on. Telecommunications law, based on the assumption that each separate industry should have its own regulated monopoly, is outdated. That's why Congress is planning to pass a major telecommunications bill this year: The industry needs to be reregulated.The logical response to the crumbling walls that once separated industries is to phase out the monopolies altogether and usher in an era of competition. Instead of one choice for local telephone service, for example, we'd have two or three—or six.

Now, consider the quantum leaps information technology has been making: Computers are getting faster, cheaper, and easier to use. New compression techniques let us send more information over existing wire, and higher-capacity wire is being laid all the time. Then, imagine marrying these advances with the hypercompetitive environment that restructured telecommunications regulations would create: The result would be businesses vying to use this technology to offer more and better services. Soon, as commonly as we pick up the telephone, we could send each oth-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

er massive computer files and talk by interactive video. That, in essence, is the information superhighway.

Over the next 10 to 15 years, though, the only companies with the infrastructure to build the "highway," and the range of interactive services it promises, are the phone and cable companies which already have wires going into every home and business in the country. The question for Congress is this: How do you work against the forces of monopoly? Since technology is always developing, it's a moving target.

It seems daunting, but we've faced similar challenges before. Each time a new technology has emerged—telephones, radio, broadcast television, cable—government has tried to balance profit and the public interest. Take the American experience with railroads. For most of the nineteenth century, the rails were controlled by a handful of rich men, such as Cornelius Vanderbilt and Andrew Carnegie. Virtually unrestrained by government, they formed monopolies and charged what they pleased. For example, Carnegie, also a steel magnate, could charge his competitors stiff prices to ship their steel, and keep the upper hand.

Eventually, the anger of farmers, merchants, and rail travelers rose to a fever pitch and Congress stepped in to guarantee that everyone—from huge conglomerates to small-time merchants to ordinary folks—could use the rails at a non-discriminatory rate. Under common carriage, as it was called, owners could still make large profits—and still had plenty of incentive to lay more track—but the larger public interest was preserved as well. Railroads, after all, were a vital public resource.

As telephone technology emerged in the late nineteenth century, the common carriage principle guided the construction of a national network. Again, building two phone systems—so that competition could keep prices down and preserve non-discriminatory access—would be expensive and wasteful. So we settled for one regulated network.

Common carriage has been vital in the past, and it will be even more so in the future. We are shifting to an economy where much more of our lives will consist of transactions transmitted in digital form over electronic "roads." When the day comes—and it's coming soon—that we send video and other data over wires as commonly as we now use interstate highways, it will be crucial to keep those wires open to everyone.

In addition to common carriage, there is another important principle that ought to—but probably won't—guide the construction of these networks: "open architecture." This means that any one point on the network can contact any other point without having to go through a central server. Again, the phone system is a model. You can pick up the phone and call anyone you like. You don't need permission from a central operator. And the phone company doesn't have any control over what you say on its lines.

The Internet works the same way—that's one reason the world is so in love with the global computer network. There is no headquarters, no clearing house through which everything must pass. Any one site can contact any other site. Computers on the network do need a common language, or protocol, but besides that it's anything goes. If the coming superhighway were constructed this way, fancy video-on-demand and interactive shopping services planned by Bell Atlantic and AT&T would be supplemented by alternative sites for work, play, or just ordinary communication.

The Internet shows that the alternatives can stretch as far as the imagination—from hundreds of Bruce Springsteen fans trading gossip and bootlegs to physicists discussing the latest twist in subatomic string theory. The "Thomas" server at the Library of Congress posts congressional legislation, the Federal Register, and other public documents. The Internet, as any of its 30 million users can attest, actually delivers on the language of "empowerment" and "personal choice" used by telecommunications executives.

The Internet is also a remarkably dynamic marketplace, less a shopping mall than a street bazaar. Anyone can set up shop and sell what they like. Programmers sell their software; car magazines sell ads for their online editions. America Online, which provides Internet access with a convenient, easily understood interface, had 67,000 subscribers in 1987. Now it has 2.5 million. A friend of mine who three years ago hardly knew the difference between a mouse and a modem is now editor-in-chief of a company called Tripod. The service of news, information, and entertainment has created a dozen jobs.

The open architecture of the Internet has also proven a boon for grassroots organizing and char-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

ity work. One activist runs online town meetings and Hispanic culture sites in Colorado's San Luis valley; an umbrella organization called HandsNet links 3,500 volunteer and professional organizations. There are dozens of "free-nets" providing easy access and community information.

Juiced up with faster computers and software, and higher capacity wire, the superhighway could easily provide teleconferencing, so a teacher in Albuquerque could conduct a class in Harlem. Educational materials, which now languish for lack of a proper distributor, could be picked up and zipped around the country in a flash. Pick your favorite dream: a national electronic Library of Congress, cross-cultural exchanges, interactive literacy training.

Sounds good, right? This vision of the superhighway resonates with the hopes that have been stirred by politicians, journalists, and industry. But while telelearning makes for good public relations, telecommunications companies have something else in mind. Instead of an easily accessed system of public highways, industry would prefer it be a stratified cyber-world, a series of toll-roads that head straight for the mall and the race track. Here's how Paul Shumate, Jr., an executive at Bellcore, a Baby Bell research consortium, described the potential of online gambling and video games to *Macworld* magazine: "You suck 'em in cheap. Then, as they get to higher and higher levels, increase the rate per minute."

Hired Guns Ride to Town

In 1994, Vice President Gore excited the country's imagination with dreams of a superhighway that would "educate, promote democracy, and save lives," and the administration worked with Congress to produce a bill with common carriage and open architecture as its leading principles. "We were trying to create a climate," says David Moulton, chief of staff to Rep. Edward Markey, former chairman of the House Telecommunications and Finance subcommittee, "in which users could receive basic services for a reasonable price and where small businessmen couldn't easily be choked off."

Rep. Markey's bill passed the House, but died in the Senate. Close observers saw the footprints of industry. In particular, the Baby Bell providers of local phone service opposed the bill, and Republican leader Robert Dole did their bidding. "I don't know how they influenced Dole," says a top staffer on the Senate Commerce committee. "All I know is that we were presented with a list of non-negotiable demands, much of which was clearly written by the industry. We knew who wrote it because it was the same language that the Bell companies had given us before that we had rejected."

One clue to how they influenced Dole: Local phone companies gave $3.2 million in PAC money in the 1993-1994 election cycle alone. There's a reason why *The Washington Post* calls the Baby Bell lobbyists "The Kings of Capitol Hill." Together the companies earn $88 billion annually. Their hired guns include Roy Neel, a longtime aide to Gore and former White House deputy chief of staff; William Diefenderfer, former top aide to Senator Bob Packwood; and counsel from some of Washington's most high-powered lobbying firms. "The [Baby Bells] cover the entire country, every congressional district," says Brian Moir, Washington counsel for the International Communications Association. "There's not a person up there on the Hill that doesn't have a best friend who works for a Bell company."

The long distance and cable companies have virtually the same agenda as the Baby Bells when it comes to common carriage and open architecture. And they're no slouches either. Cable PACs contributed more than a million dollars to candidates in the November elections. Computer, wireless communication, satellite, as well as television and radio broadcast also have a heavy presence in Washington. And Howard Baker, former Senate Republican leader and chief of staff to Reagan, is chairman of a coalition of long distance companies. "We've been pretty successful in getting what we wanted," says Marlin Fitzwater, the former spokesperson for Presidents Reagan and Bush, who now lobbies for the long distance industry. "Senator Baker has been very close with Dole and [Senate Commerce Committee Chairman Larry] Pressler through the years."

The Republican ascendancy has provided a big boost to lobbyists' standing on Capitol Hill. And they've wasted no time making their allegiance clear. On November 3, just as the GOP takeover was assured, the giant cable company Tele-Communications Inc. wrote a $200,000 check to the Republican National Committee. And lobbyists press their case with regular phone calls and of-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

fice visits. "Ask our receptionist what she thinks of this bill," an aide on telecommunications to a pivotal senator says wearily. "My name is cursed around here because I get between 150 and 200 phone calls a day."

So what do all these lobbyists want? In a word, deregulation. With money and influence, they are trying to buy freedom from public interest requirements in the coming years. And from the looks of things, the purchase is almost wrapped up. The high-toned words in Pressler's "Telecommunications Competition and Deregulation Act of 1995" promise competition, open access, and universal service. But this bill, like its counterpart in the House, does very little to follow through. Despite their imminent expansion into multimedia and phone services, cable companies are exempted entirely from common carriage requirements. For phone companies providing advanced interactive services, common carriage is optional, but there's little hope they'll opt for it. The crucial distinction between open and closed architecture is virtually ignored.

The assumption behind the Senate bill, and one pushed by industry, is that competition makes common carriage unnecessary. So long as the industry is "untrammeled by excessive regulation," promises Stuart C. Johnson, president of Bell Atlantic Video Services Co., "markets will spring up, and a flood of creativity will pour forth. And consumers, acting with control, convenience, and choice will interact electronically in a manner that enhances both enjoyment and individual growth."

Theoretically, that's possible. But competitive networks take time to develop, particularly when the higher capacity wire that needs to be laid is so expensive. The only players in a position to compete in the near future are local phone and cable companies. And the bill has another provision (for which industry lobbied heavily) that allows phone companies to *buy* cable companies, newspapers, and TV stations in the same service area, and vice versa. The irony is sublime: A bill that is supposed to break apart monopolies and open up competition instead opens up the field to far more concentrated, less-regulated monopolies. Rather than compete, cable companies and Baby Bells can, and probably will, join forces and block out smaller competitors.

Since competition is uncertain, the absence of requirements for common carriage and open architecture spells disaster. The Internet, openly accessed, user-driven, and always changing, is the precise opposite of what industry has in mind for the superhighway. These companies prefer the closed-network model of cable television. "Cable companies," says Larry Clinton, a lobbyist for local phone companies, "decide who is on their network. They can choose Turner TNT, or not. And they get something of value in return for allowing channels on the network." They also get away with high prices: Before federal regulation in 1992, cable rates were rising at twice the rate of inflation.

Indeed, beyond deciding the network's content, the truly ambitious—and telecommunications companies are nothing if not ambitious—also want to *own* the content. That's why each of the Baby Bells has a deal with a major Hollywood player to produce entertainment services. Bell Atlantic, Nynex, and Pacific Telesis are aligned with Creative Artists Agency and its powerful chairman, Michael Ovitz. US West owns an equity stake in Time Warner's entertainment division. And the last three Baby Bells—Ameritech, BellSouth, and SBC Communications—are hooked up with the Walt Disney Co. These partnerships provide crystal clear evidence of their intent. They want to build private networks and control the content that flows over it.

What's the trouble with the same entity controlling the pipeline and whatever is pumped through it? It's a certain recipe for anti-competitive behavior. Cable's all-news channel, CNN, is a perfect illustration of the perils. The all-news network has a monopoly on that market, and because two principal shareholders, Time Warner and TCI Cable, also control 40 percent of the country's cable systems, they shut out any would-be competitors. When NBC wanted to start a competitor to CNN, TCI Chairman John Malone simply said, "No." Eventually, CNBC (home of "Rivera Live") got on the air, but only after promising to stay out of the news business.

The miserable fate of community access programming on cable is further evidence of the perils of mixing the ownership of conduit and content. Congress in 1984 required that 15 percent of cable programming be devoted to independent "leased access." They wanted to provide an outlet for educational shows, serious documentaries, and community programming. But cable companies—

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

which prefer to keep their systems stocked with shows they own themselves—have done everything they can to skirt the rules, from charging high rates to burying independent shows on obscure channels. "The only guys who can make a profit," says Matt York, publisher/editor of the *Leased Access Report*, "are the ones who use that delivery capacity like a pimp. There's no independent expression of an opinion, just a half-hour real estate show, or a series of commercials."

If cable seems bad, a superhighway built in its image would be even worse. And the Holy Grail of "interactivity" seems unlikely to be delivered. John Perry Barlow, co-founder of the Electronic Frontier Foundation, a group that lobbies for civil rights and public interest issues in cyberspace, says companies like Bell Atlantic are planning a "grossly asymmetrical" system. "It's a superhighway with 250 lanes in one direction, and one lane in another" Barlow says. "They drop stuff on you and say, 'We're going to give you just enough back bandwidth to operate the button on your clicker.'"

Indeed, the trial runs of "full-service networks"—Time Warner's in Orlando, Bell Atlantic's in Reston, Virginia—are mostly one-way systems. To the extent that subscribers have interaction and choice, it's to order movies and pizza. The "many-to-many" communication we're promised—where any one site can contact any other—is replaced by a system of "one-to-many." The company that owns the wires controls the content and no one, not the user—certainly not other businesses—can seek or provide an alternative.

Boon or Bust

The promise of the superhighway is that it could be as much of a boon to community and commerce as phones. If Congress keeps rolling over to please industry, it would contribute about as much to public life as Disney World. Schools, churches, hospitals, and small businesses would be shut out in the closed system planned by the telecommunications giants. "It's important to remember," says Moulton, Markey's chief of staff, "that that genius developing the next killer piece of software in her garage—we don't even know who she is yet. Sticking up for her means sticking up for an interest that's not represented here at all. And yet, in terms of jobs created and net benefit to society, that's the most important thing we could do."

This is not the first time that, poised at the beginning of a new communications era, the public has been distracted by false promises. Radio was destined to be a "classroom of the air." Television, in its early days, was championed for its potential to educate and illuminate. Cable, in particular, was championed as a boon for health care—doctors could talk to patients over cable wires—and community interaction. In the "blue skies" period, cable was going to give voice to the voiceless, empower consumers, and inject new life into the economy.

At the dawn of each new era in technology, businesses have sought to excite the public at the possibilities in order to secure a favorable regulatory regimen. Then, having gotten what they wanted, the promises of education, health care, and community benefits are quickly lost. "The superhighway rhetoric has come straight from cable's handbook from the seventies," says Jeff Chester, executive director of the Center for Media Education. "And without good policy, we'll end up with the same electronic nightmare."

Because the issue is so complicated, the public is on the sidelines. The loudest voices are those of the lobbyists. "It doesn't get the emotional involvement that health care does," says Fitzwater of telecommunications policy. "People don't see a direct impact on their lives. That makes it a lot more of an inside game." Roy Neel puts it more bluntly: "Members of Congress don't think there are any good guys or bad guys in this," he told *The New York Times*. "This is not about right or wrong—it's ultimately about money."

There is right and wrong, though—it's just that no one's framed it in those terms. But it's not too late to start. Neither the House nor Senate bill has come to the floor, and the battle is not yet over. Al Gore, who has been largely silent on the House and Senate bills, has the potential to be a real leader on this issue. If he emerges from hiding to vigorously champion open networks—in terms the public understands—there's hope that the bills could be improved. And whatever package emerges from Congress, President Clinton still has his veto. If the bill doesn't have provisions for common carriage and open architecture, he should use it. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Patriot Games

Our Roving Reporter goes in search of the militia movement's amateur soldiers and finds something even scarier—amateur lawyers

BY PAUL GLASTRIS

One June day two years ago, James Douglas Nichols was pushing 70 miles per hour down a country road not far from his Decker, Michigan farm when he was caught in the crosshairs of a sheriff deputy's radar gun. The deputy pulled Nichols over and issued him tickets for speeding and for driving without a valid license.

Soon after, before a courthouse hearing in Sanilac County in eastern Michigan's "thumb," Nichols offered a bizarre defense of his actions. The government, Nichols insisted, does not have the constitutional power to regulate private citizens in their cars. "I have put everyone concerned here on notice of what is going on here," declared Nichols with paranoid melodrama, "to violate my rights to free travel as cited in the Constitution of the United States and the Constitution of Michigan."

Presiding District Court Judge James A. Marcus patiently explained to Nichols the long-accepted legal distinction between a private citizens' constitutional right to travel freely and the government's legitimate right to regulate the operation of a motor vehicle. But Nichols was not about to buy the judge's fine distinction; he had done plenty of his own research. Nichols continued his losing protests, citing Supreme Court case after Supreme Court case. "He'd lift a sentence or phrase that he thought was applicable, but he'd do so out of context so that the meaning was completely incorrect or nonsensical," recalls Judge Marcus.

The Sanilac County courthouse, a gracious brick edifice with a hideous concrete-block addition stuck on the back, is no stranger to twisted logic. Earlier that year, James's brother Terry Nichols had tried his own hand at finding his salvation in do-it-yourself legal reasoning. He didn't really owe that $31,000 in bank credit card debt, he announced to the court, because the banks had lent him "credit," not "legal tender." He offered to pay with what he called a "certified fractional reserve check"—a worthless piece of paper. "You can't follow their arguments," explains Judge

---

Paul Glastris is a contributing editor of The Washington Monthly *and a correspondent for* U.S. News and World Report.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Marcus, "because they're listening to a different music no one else hears."

But now, after the Oklahoma City bombing, plenty of people are straining to hear the melody. James and Terry Nichols were both picked up after the bombing, though only Terry, and their friend Timothy McVeigh, have been charged with being directly involved. The search for possible motives behind the worst terrorist attack in the nation's history has turned the nation's attention to the so-called "patriot movement," the subculture of shadowy paramilitary groups and screwball ideas to which all three men were drawn.

The media has portrayed the movement as full of gun-loving right-wing extremists, and Timothy McVeigh, given his obsession with weapons and Waco, certainly fits that description. But that portrayal obscures a key fact: Most members of the patriot movement are less obsessed with guns than with laws. (James Nichols, for one, never joined a militia.) For every camouflage-wearing amateur soldier drilling on weekends there are several amateur lawyers sitting at home reading federal statutes.

The patriot movement is a loose, motley affair. It includes plenty of racists and anti-Semites, but also a good number of people who are not. Much of their ideology can be safely classified as extreme versions of contemporary conservative, anti-government dogma. Yet their absolutist notions about personal liberties put them closer to the ACLU and the New Left than to William Bennett and the Heritage Foundation.

What all "patriots" do seem to share, beyond the well-publicized fear that the federal government is stealing their rights, is a passionate devotion to the precise language of the nation's founding documents. Imagine Robert Bork and Nat Hentoff dropping acid in the woods and you begin to get the picture.

Better yet, imagine a fundamentalist revival meeting where the Bible is replaced by *The Federalist Papers*. As I chased the Nichols story around the prairie-flat eastern Michigan farm country on the wind-swept shores of Lake Huron, time and again friends and neighbors of James Nichols would bring up the Constitution, the Declaration of Independence, or *The Federalist Papers*, chide me for not having studied them, and quote from them as if from scripture. The religious parallels were unmistakable, even down to the millenarian belief, almost universally shared, that Washington's attack on individual liberty is a prelude to the imposition of a "New World Order": a totalitarian, one-world government controlled by the United Nations.

Suspicious, even dismissive, of the interpretations of scholarly priests (i.e. judges), patriots prefer an extreme version of Martin Luther's "priesthood of all believers" in which each individual can clearly grasp the framers' intent by reading the sacred texts for themselves. But like Christian fundamentalists, these patriots are guided by an idiosyncratic political agenda. They tend to quote selectively and read literally, "isolating the part from the whole and pretending that there can be only one reading," notes University of Chicago theologian Martin Marty. They are Constitutional fundamentalists.

One of the movement's gentler, more thoughtful members is James Nichols's neighbor and friend Phil Morawski, a bearded, pudgy, vaguely hippyish-looking farmer who sports a cowboy hat with a large silver crucifix and the words "To Live in Christ" scrawled on it. Morawski became a familiar figure on network television in the days after the raid on the Nichols home, speaking to reporters in a Foster Brooks-like hiccupy slur ("He doesn't drink," swears another neighbor, "he just talks that way.") Morawski lives with his mother and brother only a mile south of the Nichols place, on a farm complete with braying goats and a red, American Gothic-style barn. On the barn, in large, faded-white letters, are the words "Happy Birthday America." Though not a militia member, Moraski says he has attended some of their meetings where he "swore an oath to the Constitution."

Like most "patriots," Morawski's frustration with the federal government arose from a personal trauma. Along with millions of other farmers, he took out large expansion loans at the urging of U.S. Department of Agriculture in the seventies, then found himself buried in debt in the eighties, when land and commodity prices plummeted. He spent years in and out of court fighting the farm credit system, and managed to hold onto his land only by learning the intricacies of agricultural law with the help of various

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

grassroots farm groups, many of which eventually evolved into patriot organizations.

In the process he picked up some odd ideas. Nailed to the front of his farmhouse is a copy of the farm's title, or "patent," which the land's first settlers received from the federal government in the nineteenth century. Morawski and many other patriot farmers firmly believe that the language of these patents exempt them from local zoning ordinances. (Only the courts disagree.)

James Nichols, too, was drawn into the orbit of the patriot movement after a bitter personal legal battle. During a nasty divorce settlement in the late eighties, his ex-wife Kelly accused him of child abuse. Nichols passed a lie detector test and the charges were dropped. But the episode, which included a police search of his house, left him feeling both furious and humiliated.

Imagine Robert Bork and Nat Hentoff dropping acid in the woods and you begin to get a picture of the patriot movement's ideology.

After that, Nichols plunged into the literature of the newly emerging patriot movement. He read the Constitution and *The Federalist Papers*, along with "Spotlight," a *National Enquirer*-like patriot paper, which runs pieces such as an exposé about concentration camps being constructed to hold domestic political prisoners. During the winters, with little farm work to do, Nichols curled up with *Black's Law Dictionary* and the Uniform Commercial Code—an encyclopedia-length volume of rules that regulate commercial transactions. He was looking, he told friends, for legal means to take himself "completely out of the system." He attended meetings of We the People, a tax-protest group whose members believe the Federal Reserve system is unconstitutional. Soon, he, too, was marking all his money with a red stamp that said he is not responsible for its value. He even tried to get the county clerk to expunge his marriage license from the public record, and claimed to be "no longer one of your citizens of your *de facto* government."

Nichols' notions were not exactly original. Virtually all of them had roots in the Posse Comitatus, a radical anti-federal-government movement founded in Oregon in 1969 and popular in the rural Midwest during the eighties farm crisis. Posse members believed, among other things, that the Federal Reserve is in the pockets of a cabal of Jewish international bankers and that all constitutional amendments other than the first 10—the ones written by and for white Christians—are suspect. The Posse died out in the mid-eighties after some of its leaders were jailed or killed in shoot-outs with federal authorities. But the movement's legalist protests, such as refusing to carry drivers licenses and paying debts with "fractional reserve checks," made their way into the patriot movement and into the minds of the Nichols brothers.

Although he never joined the militia, James Nichols attended several of their meetings, usually to give informational speeches on how to "drop out of the system." He won few converts. "He's a little bit farther than we are," admits Art Bean, commander of the Michigan Militia of Tuscola County (just west of Sanilac County). Not that the militia members are middle-of-the-roaders. Bean, among others, is "very disturbed" by the Federal Emergency Management Agency's statutory language, which he says gives the president the power to declare martial law: "Read the law and make up your own mind." He fully expects Clinton to use that power before the 1996 elections, in part to stop the militias.

In his search for ways to drop out of the system, Nichols came upon the teachings of a radical constitutionalist named Karl Granse. A self-professed legal expert, Granse runs an outfit called Citizens for a Constitutional Republic, headquartered in Apple Valley, an upscale Minneapolis suburb. In the fall of 1994, Nichols and several friends traveled to Minneapolis for one of Granse's seminars on how to shuffle off the legal coils of taxes and licenses. Nichols returned to Michigan $600 poorer, the price of the weekend lecture plus various books and videotapes.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Eager to watch one of the videotapes, I went to visit a Nichols friend, Jim LeValley, who had borrowed one. A member of the Michigan Militia, LeValley raises flowers and herbs in a commercial greenhouse next to his home on the banks of the Cass River. He greeted me in a camouflage cap, his boots caked with dirt. We settled into the Ethan Allen furniture in his living room and flipped on the videotape.

On the tape, Granse points to the wall behind him, where an overhead projector displays fragments of statutory language defining those people subject to the federal income tax as "residents of the United States." He then posits that no one in the room meets the criteria because they live in the individual states. "The 'United States' implies more than one," he proclaims with great flourish, teasing an audience member from Illinois to illustrate his point: "You can either live in the United States or in Illinois. Which is it going to be?... You see, we have to stop and analyze the words," Granse instructs. "Law is a precise language."

As the tape played on, LeValley told me why he finds Granse's ideas so appealing. "If you are not part of the corporate entity of the United States you don't have to worry about the laws set forth by the United States to govern its people," LeValley explained. "It makes life a whole lot easier." I thought of W.C. Fields, who once insisted that he had studied the Bible scrupulously for 18 years, looking for loopholes.

When the tape was over, LeValley pulled a dollar bill from his pocket, flipped it over, and pointed to the Latin words beneath the Masonic eyed-pyramid: NOVUS ORDO SECLORUM. "You know what that means?" he asked me. "That means 'New World Order.' It means eventually they want us to be in a one-world government. That's why they want to take away our guns."

As I drove off, I wondered whether LeValley and his self-taught colleagues would someday see through the patriot movement's paranoid misreadings of history and the world. It might help if they knew that the words on the dollar bill, a quotation from the Latin poet Virgil meaning "New Order of the Ages," were chosen not by international conspirators, but by a committee of this country's first patriots, the revolutionaries who wrote the Constitution. □

Who's Who

Remember **Larry Speakes**, the White Hous spokesman who used to love tormenting **David Gerger** by lowering the speaker's stand in the White House Pres Room so Gergen looked like a giraffe? Speakes ha landed on his feet and is now vice-president for corporat relations of the U.S. Postal Service. Wonder what's hap pening to Gergen's mail....

Leon Panetta has assumed the role of Bill Clinton' whipping boy, a post formerly held by **Georg Stephanopoulos**. The President has been doing a lot o complaining about his staff lately and is increasingl turning to outside advisers such as **Bob Squier**, one of **A Gore**'s gurus who is also a prominent Democratic con sultant, and **Dick Morris**, a consultant who helped Clin ton campaign in Arkansas but who has been largely iden tified with Republican clients, including **Trent Lott**. **Bil Curry**, a Connecticut Democrat, has also been giving ad vice to the President and writing some speeches a well....

Mark Gearan, whose star appeared to be in eclips for a while, has re-emerged as a featured player on th White House staff. He is given credit, according to *Th New York Times*' **Todd Purdum**, for making sure that th President is better prepared for public appearances wit beefed-up briefing books and fact sheets....

Pat Schroeder points out that there may be a "thir wave" of Parkinson's Law behind **Newt Gingrich**'s can cellation of the traditional daily Speaker's press confe ence after he quadrupled the size of his press office. "Th Speaker," notes the Democratic congresswomen, "ex pands his staff, then shrinks their duties."...

"The Republican version of **Pamela Harriman**" i the description we're hearing of **Gay Hart Gaines**, th attractive blonde who is a major GOP fundraiser an contributor. She is featured in an article by the know edgeable **Susan Watters** in a recent edition of *W*, th chic monthly published by *Women's Wear Daily*. Gaine who can frequently be seen locked in earnest conversa tion with Republican bigwigs at such venues as the Jock ey Club of the Ritz Carlton and the House and Senat Dining Rooms, says she "would never knowingly invite liberal to dinner." She first won celebrity 35 years ag when, just before her long-scheduled wedding, she my teriously disappeared for several weeks....

House Republicans, according to *The Hill*'s **Marci Gelbart**, are feuding with **June O'Neill**, who had bee their own choice to head the Congressional Budget O

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Clinton's New Whipping Boy ... Gennifer's Loose Lips ... The Republican's Pamela Harriman....

ıce. O'Neill, it seems, is less than eager to cook the ooks to support GOP budget-balancing claims....

The major concern about the new CIA head, **John M.)eutch**, is that his arrogance will prevent him from lis-ɜning, from learning what he needs to do to really clean p the mess at the agency. In one case, however,)eutch will not have to take action. ·hortly before Deutch's confirmation, **Iugh E. Price**, the chief of covert op-rations who is said to share blame ɔr **Aldrich Ames**, resigned....

Speaking of **Aldrich Ames** nd the mess John Deutch has to lean up, the CIA assigned the in-estigation that could have nailed im to a man who *Betrayal*, a ew book by three *New York 'imes* reporters, describes as a 28-year-old neophyte" named **)on Payne**, "who had no real :aining as an investigator." De-pite having been tipped that ımes could have been betraying ımerican agents to the Russians, nd that Ames was living much igher than his income warranted, 'ayne failed to check Ames' bank ɜcords, or to consult with the FBI's ounterintelligence squad, which /ould have enabled him to match sub-tantial deposits by Ames with contacts ımes made with Soviet embassy officials. In fact, Payne ropped the case in 1990. Why? So that he could attend two-month training course. At least you can say he re-lized he needed help....

Kenneth Starr's rushed case against **Bruce Lindsey** eems to provide more evidence that Whitewater is the candal that never was. Even **Stephen Labaton** of *The 'ew York Times*, which beat the Whitewater drum so igorously for so long, concedes that the allegations "do ot involve the Arkansas real estate deal that gave birth ɔ the Whitewater inquiry."...

It is in matters not related to Whitewater itself that eril may lurk for the Administration. **Robert L. "Red" ɜone**, the commodities broker who helped **Hillary Clin-ɔn** turn $1,000 into $100,000, has been permitted by the RS to settle nearly $7 million in personal tax liens, ac-ording to **Jerry Seper** of *The Washington Times*. One lien was settled in October 1993, the other in January 1994, just before *The New York Times'* March revelation of Mrs. Clinton's unusual profit. This timing has aroused the interest of **Lauch Faircloth**, the Republican senator who is said to have inspired **Judge David Sentelle** to ap-point **Kenneth Starr** as Whitewater prosecutor....

Speaking of **Sentelle** and **Starr**, if the fellows at tobacco giant Brown and Williamson thought they were stacking the deck by hiring Starr to represent them in a case before Sentelle, they are going to be disappointed. Sen-telle quietly recused himself two days after *The Washington Post*'s **Al Kamen** broke the story about the tobacco firm's hiring of Starr and hinted that something naughty might be involved....

I know you have been counting on me to thoroughly peruse *Passion and Betrayal*, the new book by **Gennifer Flowers**, and I have not failed you. First, there appears to be only one piece of legitimate news. Flowers says **Bill Clinton** got her that state job she held un-til the scandal broke. She gives a detailed description of how the post was arranged, including how she got it over a qualified black woman named **Charlette Perry**. Perry filed a grievance and won a ruling that she should be given the job. Flowers describes what then happened:

"I called Bill in a panic over the outcome and possi-bility of losing my job, but he reassured me. 'Don't wor-ry about it,' he said. '**Don Barnes** [a Clinton lieutenant] has veto power, he'll take care of it.' Sure enough, Don vetoed the grievance committee's ruling."

Now what about the dirty parts? Well it does seem clear that Bill and Gennifer had a very good time togeth-er. Beyond that I shall not go, except I can't resist telling you that the book does suggest that in one respect at least, the President is like his idol, **John F. Kennedy**. Clinton, according to Flowers, tried to persuade her to procure another woman so that their frolics could be turned into threesomes. Those who are devoted students of such matters will recall that **Judith Campbell Exner** said she was similarly importuned by Kennedy....

—*Susan Threadgill*

Roman Genn

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

McNamara's *Other* Crimes: The Stories You Haven't Heard

The great debate over McNamara's mea culpa ignores two of the former defense secretary's most egregious errors

BY MYRA MACPHERSON

The outrage and condemnation that have greeted Robert McNamara's *In Retrospect: The Tragedy and Lessons of Vietnam* ignore two major scandals of that war which have led to continued pain, anguish, and suffering. McNamara, too, conveniently ignored them in his bloodless account of how he and his colleagues in the Kennedy and Johnson Administrations were "wrong, terribly wrong" about Vietnam.

A few months after McNamara told Lyndon Johnson that the war was unwinnable, McNamara did his part to make Vietnam America's greatest class war with his brainchild, Project 100,000. At the same time, McNamara knew but remained silent about the highly toxic effects of Agent Orange. What the former Secretary of Defense omits in his book and during his talk show interviews bears review, particularly since there is the danger that the next generation will study McNamara's self-serving version in America's schools.

In 1966, McNamara initiated the "Moron Corps," as they were piteously nicknamed by other soldiers. Billed as a Great Society program, McNamara's Project 100,000 lowered military enlistment requirements to recruit 100,000 men per year with marginal minds and bodies. Recruiters swept through urban ghettos and southern hill country, taking some youths with I.Q.s below what is considered legally retarded.

In all, 354,000 volunteered for Project 100,000. The minimum passing score on the armed forces qualification test had been 31 out of 100. Under McNamara's Project 100,000, those who scored as low as 10 were taken if they lived in a designated "poverty area." In 1969, out of 120 Marine Corps volunteers from Oakland, California, nearly 90 percent scored under 31; more than 70 percent were black or Mexican. Overall, 41 percent of Project 100,000 volunteers were black, compared to 12 percent of the rest of the armed forces. Touted as providing "rehabilitation," remedial education, and an escape from poverty, the program offered a one-way ticket to Vietnam, where these men fought and died in disproportionate numbers. The much-advertised skills were

Myra MacPherson is the author of Long Time Passing: Vietnam and the Haunted Generation, *reissued in 1993 by Anchor/Doubleday.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

seldom taught.

McNamara called these men the "subterranean poor," as if they lived in caves. In a way they did; their squalid ghettos and Appalachian hill towns were unseen by affluent America. All the better for McNamara and his president Lyndon Johnson. Unmentioned in Project 100,000's lofty sounding goals was the fact that—as protest became the number-one course of study at America's universities—the men of the "Moron Corps" provided the necessary cannon fodder to help evade the political horror of dropping student deferments or calling up the reserves, which were sanctuaries for the lily-white.

Officials denied that the members of the "Moron Corps" were dying in higher numbers, but the irrefutable statistics embraced by mathematical whiz kid McNamara tell another story. Forty percent of Project 100,000 men were trained for combat, compared with 25 percent of general service. In one 1969 sampling of Project 100,000, the Department of Defense put the attrition-by-death rate at 1.1 percent. By contrast, the overall rate for Vietnam era veterans was only 0.6 percent.

"I think McNamara should be shot," said Herb DeBose, a black first lieutenant in Vietnam, who later worked with incarcerated veterans. "I saw him when he resigned from the World Bank, crying about the poor children of the world. But if he did not cry at all for any of those men he took in under Project 100,000 then he really doesn't know what crying is all about. Many under me weren't even on a fifth-grade level.... I found out they could not read ... no skills before, no skills after. The army was supposed to teach them a trade in something—only they didn't."

As for Agent Orange, McNamara knew about its potential deadly effects even as it was being used in Vietnam, and long before veterans came home to die or waste away from the herbicide's after-effects.

McNamara remained silent for years as the government stonewalled Vietnam veterans who claimed Agent Orange caused their cancer or nausea or violent rages or numbness in limbs or birth defects in their children. Veterans' pleas for testing, treatment, and compensation continued to be ignored.

Finally, in 1983, Judge George Pratt, Jr. agreed to hear the lawsuit of Vietnam Veterans against Dow Chemical for conspiring to keep hidden the truth about Agent Orange. For the first time, documents released by Pratt provided a detailed look at what the company and the government knew about dioxin danger and when. In 1965, when the government was purchasing millions of pounds of Agent Orange, Dow's internal report stated that dioxin could be "exceptionally toxic" to humans and that "fatalities have been reported in the literature."

Pratt noted that McNamara attended meetings where the human health hazards of dioxin were discussed. In addition, said Pratt, McNamara's Defense Department commissioned a study which noted the "health dangers of the herbicide" in 1967.

After the war, McNamara could do nothing to change the millions of deaths and injuries inflicted on Vietnamese and Americans. But just think what McNamara could have done had he championed the veterans and their families; they were pawns then, no more than faceless numbers. It seems as though they remain so today.

He could have worked, as Admiral Elmo R. Zumwalt Jr. continues to do, to gain compensation for those killed or injured by Agent Orange. Zumwalt feels it is the least he can do for having ordered the use of the chemical, which killed, among others, his own son. Zumwalt, however, authorized the use of Agent Orange in innocence, unaware of its toxicity. McNamara has no such excuse.

McNamara does have one last chance to go down as a redeemed man, instead of just another name from the past flacking his memoirs and reaping royalties. He could donate the proceeds of his best-seller to programs helping Vietnam veterans.

Thanks to McNamara, they could surely use them. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Halting the Air Raid

At last, thanks to the FCC, the taxpayers are finally getting some return for the broadcasting rights that were given away for years

BY WARREN COHEN

The legacy of the great Manhattan swindle—when Dutch traders bought the island for just $24—haunts more than Native Americans. For centuries thereafter, swashbuckling entrepreneurs and massive corporations have paid only a pittance for public land rights. Even today, mining companies and ranchers pay far below fair value for the rights to public resources.

But with the inventions of radio, television, and the latest corporate toy, the cellular phone, it is no longer just the country's land being usurped by business, but its air as well. Last year, the industries that utilize electromagnetic airspace brought in roughly $100 billion in revenues. Call it beachfront property in the sky—and it has been given away for next to nothing.

In the early days of radio, broadcasters tried to jam this coastline, often blocking out each other's signals. In 1934, Congress authorized the government to dole out portions of the radiowave spectrum. This way, every user would have a unique frequency to operate. Any infringement on that signal was against the law, to be enforced by a new Federal Communications Commission.

Because of the enormous potential for profit, commercial interests have always fallen over themselves to obtain exclusive rights to frequencies. In the past, the government has parceled out these ethereal gold mines through legal hearings or lotteries. In each case, the government collected only negligible application fees while the recipients almost instantly began reaping profits.

But the Federal Communications Commission and Congress have finally come to their senses. Last year, the commission changed tack and began to auction portions of the spectrum to the highest bidder. The latest spectrum auction will clear a path for the creation of new wireless gizmos such as advanced paging systems and super-light portable telephones. The auction is the most efficient method of distributing spectrum space. And in the four auctions already completed (at least two more will follow), the government has collected nearly $9 billion. The billions more that these new technologies are expected to earn in the coming years

Warren Cohen is a Midwest correspondent for U.S. News and World Report.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

has led FCC chairman Reed Hundt to call the auction the biggest land deal since the Louisiana Purchase.

The crime here is that government auctions could have been—and should have been—started years ago. In 1959, Nobel laureate Ronald Coase first proposed that the government sell the frequencies through auctions like those held to distribute everything from offshore oil rights to Treasury bills. By giving in to the special interests who opposed the auctions, the government has foregone billions of dollars. One could grant that the feds did not know in the thirties how valuable the radio and television licenses would become. But what excuse was there for not auctioning cellular phone frequencies in the eighties?

The FCC's history on this matter has not been pretty. From 1934 until the early eighties, the FCC awarded licenses to broadcasters by a process known as "comparative hearings." The idea was to give licenses to upstanding citizens who would run their stations with the public's interests, as well as their own profits, in mind.

When it came to cellular phones, though, the government faced a quandary. It was always difficult to choose an applicant on merits, but with broadcast licenses, the FCC could at least evaluate an applicant's intended programming. But how do you evaluate the relative merits of cellular phone companies?

The FCC failed to make any strict guidelines for its licensing process, a mistake that opened the door to investors looking for an easy score. Plenty of speculators knew that the licenses would soon be quite valuable. They applied for licenses and then sat on them until they could resell them for a large profit. In the last 10 years, more than 85 percent of cellular licenses have turned over. In such sales, it is the license to operate—which cost the station virtually nothing—that accounts for approximately 60 percent of the sale price, more valuable than items such as a company's equipment.

For example, in 1984, when her husband was governor of Arkansas, Hillary Rodham Clinton and a group of 17 other investors, mostly Little Rock attorneys, applied for a cellular phone license. Mrs. Clinton put up $2,014 for a 2.5 percent share in the business. Four years later, Mrs. Clinton's group peddled its license to McCaw Cellular Communications for $2 million. Hillary's $2,000 investment netted her a cool $46,000, a 2,200 percent profit in just four years.

The Little Rock group was just one of a wave of investors looking to get into the action in the mid-eighties. At first, FCC hearings attracted an average of five applicants per cellular license; in the second round, that figure jumped to 14; in the next, 25. Hearings to choose one winner became interminably long and complicated. And since the criteria for awarding the licenses were never clear in the first place, the FCC in 1982 decided to switch to a lottery system.

But lotteries suffered from the same problems as the hearings: slow distribution and profit-taking speculators. For the remaining 730 cellular licenses, the FCC received more than 300,000 applications. Applications with minor technical violations slowed the process, sandbagging the lotteries in court. The commission was occasionally forced to hold lotteries a second time when complications arose. Even today, 13 years after passing out the first cellular license, the FCC is still trying to finish up some of its licensing lotteries.

In May 1985, an FCC economist, Evan Krewel, wrote a working paper about auctioning cellular phone licenses. Then-FCC Chairman Mark Fowler pitched the suggestion to Congress during hearings in October 1986. Various bills to institute auctions were proposed by Congress from 1987 to 1991 but were thwarted by resistance from the broadcasting lobby, which was quite happy getting its licenses at bargain-basement prices. It wasn't until the Clinton administration included auctions in its budget proposal that Congress, searching for ways to slice the deficit, finally passed a law in 1993 allowing auctions for paging services and the super-light phones. But never one to take a good idea quite far enough, Congress forbade the FCC from auctioning licenses for any other industry, such as

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

new radio or TV stations, or high-definition television (HDTV).

The reason for the foot-dragging on auctions is clear: political pressure from broadcast companies. Today, after the auction's success, it's impossible to find a congressman who admits he opposed the idea that cut $9 billion from the deficit. But the fact remains that most of the Democratic telecommunications titans in Congress were opponents, including John Dingell, Edward Markey, Ernest Hollings, and Daniel Inouye.

Few congressmen are willing to take on the broadcasters lobby, whose power extends far beyond its ability to hand out campaign contributions. "Broadcasters are renowned for being cheapskates," says Andrew Schwartzman of the Media Access Project. "But their power comes from controlling the content of what goes into every voting home."

The National Association of Broadcasters (NAB) peddled the most fatuous argument against the auctions, claiming that auctioning the spectrum would alter stations' roles as "trustees" of the licenses. In exchange for the privilege of airing television shows, for example, broadcasters agree to certain public interest obligations, such as news and children's programming, and can regulate against indecency. "The airwaves," NAB Vice-President Jeff Bauman wrote in *Electronics* magazine, "like the giant redwoods, are a public resource that should be managed wisely and protected from abuse."

Has the broadcasting industry become enlightened to the merits of government regulation? Of course not. Their real motivation is protecting a system that has awarded them valuable commodities at virtually no cost.

Contrary to the broadcasters' claims, there is nothing in the auction process that precludes the FCC from imposing public interest obligations on the winning bidders. The FCC sold spectrum "rights," and not lifetime ownership of the frequencies. As with every license it distributes, the FCC requires renewal after a certain duration. Licenses for the new wireless devices will have to be renewed every 10 years. Phone companies will still be required to maintain public interest standards, such as permitting other carriers to access their phone network. While the FCC hasn't stripped many licenses over the years, the leverage it maintains ensures that the spectrum will indeed be managed as a public resource.

There is, however, the realistic fear that auctions would mean that only the largest corporations could obtain the air rights. In many ways, telecommunications is for major players. It is estimated that $25 billion would be needed to construct the new wireless system. But ensuring a place for small companies is important. For example, McCaw Cellular grew from an upstart in Seattle, Washington to the largest cellular provider in the country.

To protect the small fry, and give entrepreneurs a shot in the new market, the FCC divided the new, superlight cellular phone auction into two stages. First, there were 99 licenses auctioned in the nation's 51 biggest markets. While small companies could try their luck among the giants, the FCC also will auction off 1,972 additional licenses in smaller slices throughout the country, to offer less expensive options for entrepreneurs looking to start in the industry. It is also giving bidding credits to small companies to offset costs. The existence of smaller markets will enable start-ups to succeed, without undercutting natural competitive forces.

Flush with this success, the FCC is already pondering how else to use auctions in the communications field, such as for digital television. Under a 1992 decision, the FCC has promised to give existing broadcasters new spectrum space rights free of charge. Broadcasters could use this space for one high-definition channel or six conventional analog channels. If Congress can make an end-run around the broadcast industry, the auction of this spectrum space could be extremely lucrative for the government. As it stands, the broadcast industry is set to receive yet another giveaway, while potential upstarts are kept down and the government is robbed of billions.

If they were true to their free market roots, the GOP would scrap the existing system in favor of auctions. But that's a big if. While the Republican telecommunications proposal removes most regulatory barriers from the industry, some Republicans continue to oppose auctions. "The practical fact is," Newt Gingrich admitted to *Broadcasting & Cable* magazine, "nobody's going to take on the broadcasters." The Dutch traders who bought Manhattan would be proud. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

"A GEM OF A BOOK"*

"The editor of the magazine you can never throw away is now the author of a book you can't put down.... It's the best American biography since Russell Baker's *Growing Up*."

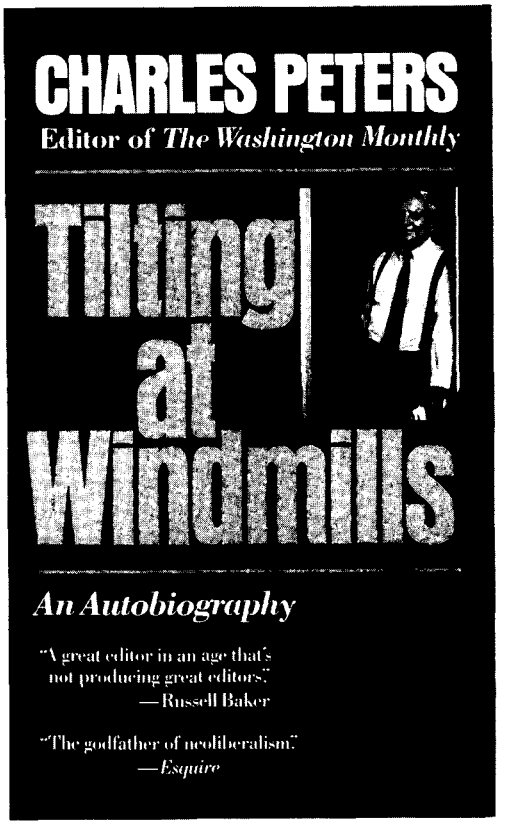
MARY MCGRORY

"A classy book, written with warmth, passion, and elegance. It accomplishes what only the best biographies do: In telling of a particular life it provides a larger window onto an extraordinary strand in the life of our country."

DORIS KEARNS GOODWIN

"Full of ideas and fun and nostalgia. Read it to find out how much better this country could be: realistically, without pie in the sky"

ANTHONY LEWIS



(YOURS FOR FREE)

Give a gift subscription to *The Washington Monthly* and receive a free autographed copy of *Tilting at Windmills* by Founder and Editor in Chief Charles Peters

Send this coupon and $26 for one year (10 issues) or $44 for two years to:

The Washington Monthly
PO Box 587
Mount Morris, IL
61054-7928

For credit card numbers, include the card type and expiration date.

YOU
name _____
address _____
city _____ state _____ zip _____

YOUR FRIEND
name _____
address _____
city _____ state _____ zip _____

A55GG

* KEN AULETTA

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Where the Republicans Aren't Wrong

Democrats would do well to recognize the rare instances where the GOP is correct

BY DANIEL FRANKLIN

I have a confession to make.

There have been times when, alone in the dark of night, I have been thankful that the Republicans took control of Congress.

Don't get me wrong. I'm a good liberal and faithful Democrat. I, too, have winced at some of the proposals the Republicans are bulldogging through Congress. The flat-tax proposal being batted around conservative circles would either bludgeon the poor and middle class or balloon the deficit. Their welfare plan would give Dickens the shakes. And their proposal to revive the Star Wars missile defense program (which failed to pass the House)—well, let's just say that at first I thought they were kidding.

Still, as Democrats shake off the punch-drunkenness from the 104th Congress' inaugural 100 days, it is time to acknowledge that the Republic will not crumble under Republican rule. Indeed, as the reality sinks in that there will be at least another 500 days of Republican dominance of Congress, it might ease the hangover to acknowledge the instances where they *aren't* wrong.

The Balanced Budget Amendment

At a recent press conference held to attack Republican budget cuts, Al Gore, Richard Gephardt, and Tom Daschle were asked by a reporter how Democrats would balance the budget. Nonplussed, the three Democratic leaders turned to one another and stared in silence.

An aversion to balancing the budget is deeply embedded in the Democratic DNA. Since Franklin Roosevelt used deficits to defeat the Great Depression and win World War II, the party of the people has been deeply and sometimes rightly suspicious of Republican efforts to cut spending, especially spending that benefits large segments of the population. (And, of course, Republicans themselves are often less than genuine in their claim to be deficit hawks. Remember that the deficit exploded under President Reagan, and that fondness for pork projects in Congress is certainly bipartisan.)

The Democrats, however, have forgotten the other half of the lesson that deficits are justified in bad times: In good times, the red ink should be eliminated. And in forgetting, they have lost touch with the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

people who, as poll after poll demonstrates, believe that this country should stop living beyond its means.

The Balanced Budget Amendment offered by the Republicans has tremendous symbolic importance for the American people. They want a solemn expression of the nation's determination to get its fiscal house in order. But more than symbolism is involved. There are practical problems that make resolute progress toward a balanced budget imperative. Consider just the matter of interest. In 1995, the U.S. paid $234 billion in interest on the debt. The deficit was $193 billion. Assume for a moment, then, that there was no debt. The government would have a $41 billion surplus, which could be used to pay for social programs or tax cuts, or whatever else the body politic demanded.

But of course, there is a debt ($4.8 trillion at last count). And until the government balances its books, the interest on the debt will consume a greater and greater share of the budget. The Congressional Budget Office estimates that, if we continue spending as we have, the amount the government will pay in interest on the national debt will rise to $310 billion (or 16 percent of the total budget) by the year 2000. The country's interest payments are growing faster than Social Security.

Of course, deficit spending *can* be necessary in times of war or economic recession. That's why the amendment has an escape hatch. It allows a 60 percent supermajority of Congress to approve a budget that is not balanced.

Some critics say that this provision would give the minority the ability to hold hostage the government's budget and the nation's economy when deficit spending is justified. But in times of true crisis, whether economic or military, and on bills of true importance, Congress has been strikingly unified. The Social Security Act in 1935 and the Civil Rights Act of 1964 were both approved with more than 70 votes in the Senate. Declarations of war have been unanimous or near unanimous. There is no reason to believe that a clear threat to the welfare of the country would not be enough to inspire 60 percent of Congress to vote for an emergency budget. And supermajorities aren't unheard of in Congress. It takes two-thirds of the Senate to approve a simple friendship treaty. Why not require 60 percent before allowing a deficit?

The Republicans want to balance the budget by 2002. But as wise observers have noted, there is nothing magic about this date. Indeed, just as we went to press with this article, Bill Clinton was telling New Hampshire reporters that he would offer a plan to balance the budget by 2005. This plan probably makes more sense than the Republican plan, whose precipitous spending reductions could cause a severe economic downturn.

What's far more important than speed is the soundness of the budget balancing plan and the resolution with which it is carried out. Big cuts *are* possible. Military spending can be reduced by eliminating big ticket items such as the F-22, B-2, and Seawolf submarine that are not needed with the Cold War over. Much more can be saved by cutting civil service, military, and Social Security pensions for the affluent elderly. Retirement ages should be gradually raised from 65 to 70 for Social Security, from 55 to 65 for civilian government employees, and military retirement eligibility should require 30 years of service instead of 20. (These changes are all based on increased life expectancy.) Automatic cost of living allowances (COLAs) should be eliminated for all government pensioners whose outside earnings exceed $30,000. COLAs are virtually unheard of in private sector pensions. They became customary in the government during double-digit inflation in the seventies. It's been almost 15 years since the government got inflation under control. The COLAs are no longer justified.

The Line Item Veto

Achieving a balanced budget would be made far easier if it were coupled with another proposal that the Republicans have pushed in Congress, the line item veto, which would empower the president to veto individual spending items. Members of Congress have become accustomed to inserting their favorite slices of pork into a bill they know the president wants. No matter how distasteful the

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

pork, the president cannot get rid of it without vetoing the entire bill. With the line item veto, though, he could cross out the wasteful items without sacrificing otherwise worthwhile legislation.

Critics charge that the power to veto individual appropriations would make the president powerful well beyond the intent of the framers of the Constitution. On the contrary, the line item veto would make the budget more democratic by adding a level of accountability that is currently missing. For instance, when Texas tornado Phil Gramm wheeled and dealed to get $100 million to build a plant stress lab at Texas Tech, his constituents benefited while the nation paid. And yet only Texans are offered the pleasure of voting Gramm out of office. But if a president has a line item veto, he can be held responsible for every item in the budget.

Democrats have opposed the line item veto because they've been in control of Congress and did not want to hand the president the power to take away their goodies. Republicans came to favor the idea when they were in the congressional minority, but had a Republican president who could have used the veto to thwart Democratic projects. Now, the GOP continues to advocate the idea even though the situation has changed. Before the Republicans wake up and realize the veto could be used against them, the Democrats should immediately and enthusiastically join them in enacting it.

SSI Reform

The Supplementary Security Income program was originally intended to give the disabled poor extra money to make up for not being able to work and earn an income. A side provision offered help to children who suffered from any of a strict list of serious conditions, such as leukemia. But in 1990, the Supreme Court ruled that SSI's restrictions on children constituted age discrimination. Just because children don't work, the Court declared, there was no cause to deprive them of money for lost wages.

Come again?

As a result of the Court's ruling, any child that did not display "age appropriate behavior" was eligible for disability benefits. As a result of the Court's decision, children who fight with other children or severely misbehave in class can now receive SSI benefits. Naturally, the program ballooned: Since 1990, the number of children receiving SSI has risen 77 percent to 900,000; in the next five years it is expected to rise another 55 percent.

The ease with which benefits are available has led to astonishing abuses. In January, *The Baltimore Sun* reported that the seven children of one Louisiana family, the Watsons, received $38,000 per year in benefits despite no real disabilities. One son, Cary, who went to prison for two years for assaulting his pregnant girlfriend (injuring both the woman and her unborn child), receives benefits because, in the words of one psychologist, his "strong anti-social features" are not "age-appropriate." The rest receive the standard $458 monthly benefit—nicknamed "crazy checks"—because they have lagged behind in school or shown behavioral problems. Where does the money go? Home appliances, cable television, and new furniture, mostly. Mrs. Watson also gives four of her children allowances of $120 every month. "Being the age they are," Mrs. Watson told the *Sun* reporter, "and being out there with their little girlfriends, they need the money."

The Republican welfare bill's plan to fix SSI is surprisingly moderate and sensible. It will only provide aid for children with serious disabilities. Families like the Watsons will be quickly and decisively cut off. In addition, the Republican proposal will eliminate benefits for adults who are alcoholics and drug abusers. Currently, the program accepts either condition as a disability, but doesn't require the recipients to enter abuse programs. More often than not, the money is going to subsidize these people's habits.

Liberals tend to take a defensive posture when a poverty program comes under attack, assuming the domino theory holds for social programs. But the more vigilant the Democrats are in weeding out fraud in welfare programs, the more credibility they will have in defending the government's efforts to help the deserving poor.

Other automatically negative Democratic responses to Republican cost cutting initiatives should be carefully reconsidered. Sometimes Democrats will be right to continue the fight, but there are old causes like the union-inspired Davis-Bacon and McNamara-O'Hara acts that no longer serve any public interest and actively inflate the cost of government contracts. Democrats can remain sympathetic to the problem of the working

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

man without automatically obeying the dictates of union bosses.

Congressional Reform

Over the last 40 years, Republicans have had quite a bit of time to sit back and wonder what they might do if they ran the zoo. The time paid off, and the GOP has instituted a number of reforms that will improve the performance of Congress:

➤***Abolishing the seniority system:*** This is one the House has put into effect but the Senate has not. In both cases the consequences are striking. On the Senate side, nonagenarian Strom Thurmond is in charge of the Armed Services committee even though he has been reported to fall asleep and act disoriented during meetings. National embarrassments Jesse Helms, Bob Packwood, and Al D'Amato are running Foreign Relations, Finance, and Banking, respectively. There are no comparable instances in the House, where chairmen were hand-picked by Newt Gingrich. One may quibble with the beliefs of individual chairmen, such as Commerce Committee Chairman Thomas Bliley, who has carried the tobacco industry's water for years. But the House Republicans have set a precedent where talent is prized above tenure, a shift one can't help but applaud.

➤***Eliminating funding for caucuses:*** In the 103rd Congress there were 28 registered caucuses—ranging from the powerful and well-known Congressional Black Caucus to the unknown and ineffectual Populist Caucus. All were given free office space and all were funded by taxpayers. Unfortunately, they were not the most carefully run of organizations. In the last 10 years, caucuses received $34.6 million and accounted for $26.9 million in expenditures such as staff salaries, parties, personal gifts, or travel expenditures. The remaining $7.7 million? Well, no one knows quite where it went.

The far more grave problem with caucuses was that many served as little more than taxpayer-financed tools of special interests. Groups like the Steel Caucus or the Textile Caucus made it easier for industry to influence thinking and leverage votes, while members lost sight of the interests of the nation as a whole. In one fell swoop Republicans cut funding for all caucuses; they will not be missed.

➤***Downsizing the committee structure:*** In 40 years, no committee had ever been eliminated, no matter how wasteful or useless. On the first day of the 104th session, the Republicans eliminated three full committees and 28 subcommittees, and at the same time reduced the size of committee staff by one-third, saving $67 million.

There are benefits to this beyond simple savings. Duplication in the committee structure needlessly complicates the legislative process. Take the health care debate. Clinton's health care bill was considered by nine different committees in the House, and four more in the Senate. With so many different hands in the soup, the job of the special interests in seeding division became easier, and consensus became more difficult to achieve. With a streamlined committee structure, the legislative process is made simpler and the passage of broad and complicated, but necessary, bills is made more attainable.

Legal Reform

In 1991, a Texas man sued eight flag manufacturing companies, claiming that while folding up a 55 by 110-foot American flag, a gust of wind billowed the flag and yanked him 70 feet into the air. The plaintiff claimed that flags were an "unreasonably dangerous product," and should have clearly printed warning labels. A sure loser? Not quite. In each case, the flag makers' insurance companies chose to settle; it would cost far more, they reasoned, to have the case tried in court. The plaintiff walked away with $21,000, and, we may imagine, a favorable disposition towards the American legal system.

Almost everyone except the Democrats seems to realize that there are too many lawyers and too many lawsuits. Thousands of cases like the flag suit in Texas seem to be based not on the plaintiff's confidence that he will win but on his hope that he can get a nice settlement based on the defendant's decision to avoid the legal fees that he would incur if the case were actually tried.

The "loser pays" provision of the Republican's Common Sense Legal Reform Act seeks to meet this problem by providing that, in civil cases, the plaintiff who loses at a trial will have to pay the defendant's legal fees. This means defendants can no longer be blackmailed into a settlement because of their fears about their own legal expenses.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Another advantage of loser pays is that it means plaintiffs with meritorious cases will have less to fear from defendants who could threaten *them* or their attorneys with the cost of a protracted proceeding. The longer the defendant draws out his unjust defense, the higher the fees he will have to pay the plaintiff's attorney in addition to the amount of the judgment. Of all the reforms advanced this year, loser pays would do the most to reduce lawsuits. It penalizes both the phony claim and the phony defense. But the Democrats opposed it.

The Democrats may have a cynical motive for opposing legal reform in the generous contributions they receive from the Association of Trial Lawyers of America. But they also have an idealistic motive. It is their identification with the lawyer David who takes on the corporate Goliath. The Republicans have fought hard for limits on liability that will protect corporate pals like the tobacco companies. Democrats *should* be suspicious of such efforts. But they should also sympathize with the plight of legitimate small businessmen whose survival can be threatened by one large judgment.

They should also be sympathetic to the doctor whose legitimate fear of malpractice suits leads him to practice defensive medicine, inflating the cost of health care. The trouble with freeing the physician from the threat of large malpractice judgments, as the Republican want to do, is that today those judgments are the only way to discipline the careless and the incompetent. So here is a chance for the Democrats to find a creative solution. One long advocated by this magazine is to protect doctors from large judgments, but require them to give up the power to license themselves. The power to deprive incompetent physicians of their licenses would be taken away from doctor-dominated groups and given to independent boards, punishing bad doctors without punishing the rest of us with the inflated cost of defensive medicine.

Every good forest ranger knows the simple truth about forest fires. They're shocking, yes, and they wreak havoc. But they also clear away deadwood and undergrowth—and lead to renewal. The Democratic Party should see the 104th Congress in much the same way. Democrats could spend their time under GOP rule stubbornly defending each and every bit of liberal dogma. What they *ought* to do is concede where the Republicans are right, and fight them all the more vigorously where they are wrong. □

INTERNSHIPS

Join the Monthly's Ranks

The Monthly seeks interns for late summer and fall 1995. Bright, energetic young men and women with an interest in journalism or magazine publishing are encouraged to apply. The job includes everything from reading manuscripts and researching stories to assisting with circulation and promotion.

The magazine where JONATHAN ALTER, KATHERINE BOO, TAYLOR BRANCH, JASON DEPARLE, GREGG EASTERBROOK, JAMES FALLOWS, MICKEY KAUS, MICHAEL KINSLEY, and NICHOLAS LEMANN got their start.

We have positions starting August 15. Slots to begin later in the fall are available as well. Applications should include: a resumé, three writing samples, and a brief letter explaining why you want to work for us. (This last item is very important.) Mail to Internship Coordinator, The Washington Monthly, 1611 Connecticut Ave., NW, Washington, D.C. 20009.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Memo of the Month

NATIONAL ORGANIZATION FOR THE REFORM OF MARIJUANA LAWS

NORML

1001 CONNECTICUT AVENUE NW • SUITE 1010 • WASHINGTON, DC 20036 • T 202-483-5500 • F 202-483-0057

From: Allen June 23, 1994
To: NORML staff

NORML reprimand policy for cannabis use in the office, and if a staffer is known to be intoxicated in the office during the hours of 8:00 am - 10:00 pm:

Procedure:

-If an individual would like to raise the issue of cannabis use in the office or an individual's impairment by cannabis while they're in the office, the individual needs to immediately raise the issue with Allen. If Allen is not present, then the individual should address the National Director directly.

Consequences:

-1st offense
Meeting with Allen immediately, where a verbal reprimand from Allen is sure to ensue (or Dick in Allen's absence). Dick need not be told of the occurrence.

-2nd offense
Written reprimand from Allen, and Dick is notified. Meeting with both Dick & Allen is likely to follow.

-3rd offense
One week's pay is docked. Mandatory meeting with Dick & Allen.

-4th offense
Suspended from work for one week without pay. Mandatory meeting with Dick & Allen where the employee's potential dismissal (without unemployment compensation) is likely to be the topic *du jour*.

If this policy is unclear, please see me immediately so I can elaborate further.

PRINTED ON TREE FREE ECOPAPER™ – 50% HEMP / 50% CEREAL STRAW – 1•800•775•0225

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Diary of a Congressman

Life in the minority, writes a Democratic Representative, has its pains as well as its devilish pleasures

BY BOB WISE

November 8, 1994, election night. An incredible night. What else is there to say? My wife Sandy, the volunteers, and I huddled around three TV sets in a hotel banquet room. I came out okay—actually a little better than we expected.

Only morbid curiosity kept us watching the rest of the night. It felt less like an election than a plane crash, with us left looking for the names of friends on the list of passengers. We turned off the light at 3 a.m., but I tossed until six. The ramifications rolled over me. Sandy would likely lose her job as Ways and Means staff director. I will lose my subcommittee chairmanship. Even the doorkeepers owed their jobs to patronage. The life I've known for 12 years disappeared in three hours.

November 14. My first day back on the Hill. Walking down the tomblike Rayburn Office Building corridor, I could almost hear the medieval cry, "Bring out your dead, bring out your dead." Even a week later, Democratic staffers are looking dazed.

November 21. We've been having strategy meetings in the Hay-Adams Hotel. There is general agreement on three bills to push. First, a constitutional amendment overriding the *Buckley v. Valeo* case, which said campaign spending is tantamount to free speech and can't be limited. Second is some sort of middle-income tax cut. Third is another in-your-face, we'll-go-one-better amendment with lobby reform rules. The hope is the Republicans will vote "no," giving us the chance to fire press releases off to the new members' districts charging their first vote was against curbing lobbyists. Welcome to Washington, Mr. Smith.

December 7. An eventful week. Elected Gephardt (who delivered a passionate speech, then retreated to Bethesda Hospital for gall bladder surgery) to minority leader, Bonior, Fazio, and Kennelly to other party offices.

Republicans terminate 1,500 clerical and service workers as of January 4, delaying severance and denying accrued leave. One middle-aged elevator operator just shakes her head, "That's cold."

Congressman Bob Wise represents the second district of West Virginia.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Democratic and Republican Study Groups have been abolished. This bugs me. It reduces the legislative literacy rate 50 percent, guaranteeing a bumper sticker floor debate: *Empowering Tax Cut* vs. *Food Stamps for the Rich.*

December 16. A senior Democratic Staffer notes the change in Christmas gift giving. Whereas her office was once a magnet for lobbyist food gifts, this year, she's received just one jar of pitted olives and a bottle of Beaujolais Nouveau. The fine wines are now going to her soon-to-be majority counterpart.

January 3, 1995. The first full day back on the Hill and the last 24 hours during which the House is officially under Democratic control. The Republicans are conducting dress rehearsals for the first day in the chamber.

I meet with Barney Frank and David Bonior to discuss the "parliamentary monitor" positions Barney and I are taking. We're supposed to prowl the floor, make sure Democrats get heard, and help members combat Republicans. We feel we should make sure the Republicans always pay a price for what they do. Even routine unanimous consent requests must get us chits to be used down the road.

We're going to push the lobbying reform bill that Newt helped stall in the last days of the 103rd. Embarrass their new members by forcing them to vote against the Holy Grail of their campaign speeches.

January 4, day one. Packed House floor. Kids everywhere. Ted Kennedy is on the floor, the proud father watching his son Patrick sworn in.

Newt has his moments of eloquence, but he talks too much. New members are hanging on every word. Others' eyes glaze over. Some of Newt's story is stepped on by his mother's telling CBS's Connie Chung that Newt believes Hillary Clinton is a bitch.

The detail of this day is not important. People probably weren't glued to C-Span until 2 a.m. But it was the pictures, the montage, the impression that registered. Something is being done. The feckless, do-nothing Congress is out. CNN would break into floor debate from regular programming, Gulf War-style. Its reporters kept a running tally of the reform measures passed and those still waiting. How will this inaugural day play on the small screen in St. Louis? I give it five stars.

Balanchine would envy the choreography. Legislation and media coverage are designed to produce exactly the desired perceptions: urgency, responsiveness, revolution. I attend a ballet once every five years and don't know an arabesque from a pirouette. But I sure know artistry when I see it.

In the evening, Democrats jammed the cloakroom drinking cans of Coke and eating hot dogs and microwave popcorn. We cheer when the Ma Gingrich clip comes on. Meanwhile, TV America is channel surfing and seeing Republicans on every channel: "Heck, I don't know what is going on except apparently these guys are finally moving Congress.... Where is Roseanne? This must be serious."

Give a hand to the new Speaker. Newt does good TV.

January 5. Democrats on the Government Operations Committee caucus in 2154. I see the former chairmen's portraits stacked in a corner. Jack Brooks is at the top of the pile. Fifteen minutes of civility, then "You touch my seniority and I'll cut your hand off."

Silly fight over ranking minority memberships, which are useless anyway. You get no staff. You get no right to set an agenda. You can't call witnesses.

The Government Operations Committee will mark up an unfunded mandates bill next week. No hearing. No subcommittee markup. Slam, bam, right to the floor with legislation that would effect every aspect of federal regulation.

"I'm sorry, Ms. Jones, but your daughter is hospitalized because the federal government did not mandate elimination of cryptosporidium." Is this what we want to say?

Federal health and safety standards are important because sewage treatment, for example, tran-

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

scends local boundaries. Even if your own town's treatment plant meets the highest standards, aren't you the least bit worried about the town upstream? This is the concern of conservative Democrat Gene Taylor. His district at the foot of the Mississippi collects 41 percent of the nation's sewage dumped by the 80 million people upstream.

January 10. Second day of balanced budget amendment hearings. I make the pitch for capital budgeting. Chairman Henry Hyde criticizes the "casual" way taxes are sometimes raised. Casual? Try being in a parade at home the day after you voted to raise taxes. It is not a casual experience.

More seriously, do we really want more than a simple majority on tax matters? Some argue that wresting money from citizens is an extraordinary act. What is it when Congress orders my son or daughter to fight a war?

I realize that I am engaged in a grown-up game of "Gotcha." My job is to catch the Republicans tripping up and yell it to the roof of the Capitol dome.

January 12. Deficit reduction comes home. I met this afternoon with a group of unhappy home builders from the fast-growing Eastern panhandle and officials from the federal Farmers Home Administration. Last year, Congress appropriated half as much as previous years for the mortgage loan program that subsidizes lower income home buyers. Only four months into the fiscal year, our state office has already allocated 80 percent of its allotment. Home builders are left with a lot of customers and little financing. We press FHA from every quarter. This is an investment; these loans create jobs and tax money. No luck.

No one leaves happy. Many at the meeting today were sending me postcards two years ago complaining there weren't real spending cuts in the Clinton budget. Wait until they see Kasich's budget. They'll love that.

January 18. The press secretary asks about doing some TV shows. I've been invited on "Crossfire" tonight and the local Fox affiliate roundtable discussion tomorrow. Why me? Probably because I was one of the first throwing parliamentary inquiries at the Speaker after Carrie Meek's mild criticism of Gingrich's book deal was stricken from the record.

I decline. I feel a little guilty that I may be letting the party down. Here is another chance to get out our message. But another Democrat who revels in these type of shows will be asked. I don't enjoy "Crossfire." There's enough political strife without elevating it to a spectator sport.

Another more selfish reason. Years ago I abandoned any desire to be president or speaker. It's important that West Virginia knows what I am doing and thinking; I am not seeking a national voice. So I drive home in time to sit in our big bed with a pajama-clad child on either side of me and read stories for 45 minutes.

January 21, the State of the Union address. The White House sent green talking-cards to the Hill this morning. Main points: new government, new economy, new covenant. Also talking points of accomplishments, in case anyone wondered. I do TV interviews ahead of speech so I will be one of the first beamed up. At least I don't start out with, "The President sounded strong..." But I talk off the green cue cards—new government, new economy, etc.

The President keeps facing the Republicans. Hey Bill—over here. *We* support you. *We* stood up for you when they sat down. *They* want you to fail. Talk to the American people. They're the ones we need to hear you, to catch a spirit, to believe again.

Speech goes too long, more than an hour. Members slip out to catch the satellite feed. But we're too conditioned to getting our information in quick, digestible bites. We ought to be able to listen to one speech a year that's longer than a Nordic Track infomercial.

January 27. Anticlimactic day, the balanced budget amendment having passed yesterday.

Majority Leader Dick Armey is coming through as hoped. On a radio interview this morning he referred to openly homosexual Barney

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Frank as "Barney Fag." CNN begins running the transcript on the half-hour. Armey goes to the House Floor to castigate the press for running with what he says was an unintended mispronunciation. Listening to the tape, I don't hear a deliberate slur. As Barney points out, maybe that's the problem. It was in the back of his mind.

A top priority for Democrats must be constantly reintroducing the American public to the Republican leadership.

January 31. I realize that presently I am involved in a grown-up game of "Gotcha." My job is to catch the Republicans tripping up and yell it to the top of the Capitol dome. Not a real positive feeling.

February 1. I find myself hurrying to work to give a one-minute speech. Being in the minority means digging extra hard for positive topics for the hometown press. I'm going to urge baseball owners to come to an agreement or face losing their antitrust exemption. Designed to make the six o'clock news sportscast.

I end up voting for the unfunded mandate ban. The final version, which is defensible, in effect says once the mandate is pointed out as being unfunded, the House by a majority vote can then decide to approve it regardless. Sounds reasonable to me.

For those who believe so strongly that this further limits the federal government, I want to see what kind of unfunded mandate bureaucracy develops. First will be in the Congressional Budget Office, which is being allocated millions of dollars to do the estimates on every bill that could cost money. Then every federal agency must have a new "mandates division" to evaluate every regulation and proposed law.

February 2. Our office has taken this "no lobbyist gifts" pledge. Already we are suffering. Someone sought to deliver a construction hard hat full of cookies. "Were they just store bought?" I asked. "No," says Jane, my legislative director "they looked pretty damn good."

February 13. *Roll Call* reports that Billy Tauzin, Gary Condit, and 20 to 30 other conservative Democrats will organize to work with moderate Republicans. The article cites anger with the Democratic leadership as the main reason.

Chet Edwards, a conservative from Texas, is quoted. In the cloakroom, I thank him for the efforts of reconciliation he is making. I also express my frustration at what I have read because it seems to me there has been a real effort on the part of leadership to reach out to the conservative Democrats. Chet, after all, is a deputy whip.

February 14. Newt took leadership and key staff on a retreat. The main subject was lamenting the media's failure to report all the legislative accomplishments being racked up.

Welcome to the majority, Newt. I'll loan you my journals from the first two Clinton years when, morning after morning, we gnashed teeth at the media's failure to appreciate our accomplishments. The first year was impressive—passage of the National Service Act; the five-year Deficit Reduction Plan; Goals 2000 for education standards; the Elementary and Secondary Education Act. One commentator billed the first year as the most productive since the Great Society.

Newt made the same mistake we did—passing too much too fast. And, as a rule, the media isn't excited about positive accomplishments.

February 17. Finally home in West Virginia, my first time since January 15.

First stop is West Virginia Wesleyan. It's a lovely campus, with colonial dormitories and classrooms tucked in one corner. Speaking to 50 students, I get intelligent questions—how to balance the budget, what is the future of prison funding, should the U.S. be assisting Mexico—but no sense that Newt's Contract has permeated the political consciousness.

Still, I'm disappointed. Newt may not have connected yet, but neither have I. The business in Washington is extremely important to these students, yet none seem engaged in even the struggles that directly affect them. At least half of these students depend upon federal financial aid. Republicans propose to cut $13 billion from student aid over five years, including charging interest on the loans while the student is in college instead of deferring interest charges until graduation. In 10 years, I have never received a letter from a student on education issues.

I meet with the campus Young Democrats. The

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

president of the club arrives with a friend, bearing two grocery bags of chips, soft drinks and donuts for a reception. Unfortunately they are the only ones to appear. A liberal middle-aged professor happens by and for the next half-hour we sit around the table talking politics.

My impression is that Republicans organize college campuses much better than we do. And no wonder. Youth demands action and something to believe in. You have to give them policies that hit close to home and show how budget decisions made by another generation in Washington will influence their lives.

I grew up in a Republican household but had the Vietnam war and civil rights as my rallying point. And JFK and FDR were always out front as political icons, defining what I was for and against. Democrats fought the status quo, no matter what it was. Democrats provided the action.

From a 22-year-old's perspective, what action have Democrats provided lately, say, in the past 15 years? The clarity of civil rights is muddied in the confusion of affirmative action. Every possible reform—lobbying, campaign, congressional—has been muddled to mush through relentless compromise and an evident lack of enthusiasm.

And even though these kids can't tell you what the Contract is, they have a sense of where Republicans stand. A clearly defined agenda always wins against a pit of ambiguity.

The people back home can't tell you what the Contract is, but they do have a sense of where the Republicans stand. A clearly defined agenda always wins against a pit of ambiguity.

February 18. I speak to 60 Upward Bound students in Elkins. They're high schoolers who get tutoring to nudge them towards college. Most are low-income and many would not be expected to continue past high school.

Walking out, I note to myself the impressive students, their excited leaders, and the success rate. Federal funds seem to be working here. Then I remember the buzz over another Upward Bound program when an instructor took her students on a federally funded weekend excursion to an amusement park. Which one will be used as an example during the Budget Committee debates?

February 21. I talk with other Democratic members about what they had found at home over the last weekend. Most had held similar town meetings and reported the same constituent reaction—last year's citizen rotweilers have turned into cocker spaniels: friendly, inquisitive, housebroken.

It's so different from two years ago. And it's funny. The economy was strong then—the last quarter had shown a 7 percent growth rate. There was a new president trying to shake things up in Washington, which was exactly what the people had asked for. Optimism should have ruled the land. The new Congress hadn't even done much, so what was there to complain about?

But I still remember the indoor shopping mall in Charleston where 50 well-dressed citizens backed me up to the edge of a fountain spewing colored water spouts. One tall, sixtyish man screamed about balancing budgets. Several of his cohorts waved Ross Perot's latest treatise like some sort of capitalist Red Guard. The next two years of attack-dog dialogue in health meetings left me wanting to give up on participatory democracy entirely.

February 22, day 50. The President comes to the Hill. Republicans give us a basement room. Classy. The crammed gray-walled room is like a crowded elevator.

Clinton says, I don't mind meeting down here in this little room. I can see you better and it concentrates our attention.

February 25. Two town meetings today in the Eastern Panhandle, which borders Washington. Refugees and retirees from inside the Beltway. Calm. The diehard, wear-your-elephant-on-your-sleeve dittoheads seem to have slept in this early Saturday morning. Maybe winning control of the place has relaxed them.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

More and more, I am seeing that the value of the Contract is in how constituents are being forced to confront what they expect from government. One mother, blonde hair, white blouse, and black dress, stands and points to her 14-year-old boy next to her. "Look at him," she says, her voice trembling. "He is disabled. he will never be right. I make $14,000 a year; he needs four medicines to control his epilepsy and if they take his SSI [Supplementary Security Income], I don't know what I will do. I can't pay for these with what I make. If they take his benefits and I have to stay home to care for him, what good does that do?" She struggles to keep her composure as the confused youth stands beside her. "What can I do to stop this?" she asks me.

I stumble through various shallow statements. What you are doing now is important. Educate your neighbors. Make the black-and-white statistics of "hundreds of thousands of children now receive benefits" take on individual faces.

February 27. I'm taking on the Contract today. First I drive to the Eastern Panhandle for a press conference at Berkeley Heights Elementary School where I sit in the school cafeteria next to a full lunch tray and open with, "If some have their way, for many West Virginia schools, this lunch tray could become a thing of the past." Combining the school lunch and breakfast programs with Women, Infants, and Children, day care, and child care programs will force pregnant women to compete with their children for food.

March 1. Newly elected Republican Steve Largent stops by simply to introduce himself. He speaks sincerely about wanting to know members beyond the partisan speeches on the floor. These battles might be less bitter, he reasons, if we knew each other better. He's right. There are almost no structures for bringing members together as people, not partisans. The Thursday prayer breakfast attracts many but only for an hour a week. The House gym brings some aspiring athletes together. And there are the legislative negotiations.

But otherwise, chances to come together, to know each other as something else than the extremist yahoo at the far microphone, barely exist. Check into your office first thing in the morning. Then party briefing. Then committees, where you sit separated from the opposition, even coming in separate doors. After black eyes all around, we adjourn late, more convinced than ever there is some DNA strain condemning the opposition.

I mention to Steve my hope that Democratic and Republican leaders will resume the tradition of having new members from both sides attend a joint orientation session. Until this year, every new member group spent several days together at Harvard's Kennedy School of Government. The presentations were insignificant compared to the bonding that took place. The relationships formed in the college classroom atmosphere last for years.

March 16. Jane attends an afternoon meeting for staffers willing to volunteer in running the Child Nutrition Rally Sunday at the Capitol. The goal is to have at least 1,000 children showing their support for the existing school lunch and other nutrition programs. Do they know what they're in for? Short attention spans, walnut-sized bladders, diaper changes, formulas, and wide mood swings. Jane reports 80 staffers show up. Not one is a parent.

A tactic that Newt employed successfully for many years is using symbols that become the whole debate. For us, the last two weeks, school lunch met that purpose. When Americans think of the welfare reform bill, AFDC, work requirements, job training, even cost savings, all they will ask is, "Did you vote to cut out the school lunch?"

March 21. An afternoon meeting with two political consultants who want to raise funds for my next campaign. This congressional term is only three months old. If I am to run a competitive race in '96, I have to start now.

Both men are burly, casually dressed, and straightforward. Subtlety is not a major part of their firm's operating procedure. First, my fundraising background. I raise about two-thirds from PACs with an almost even split between business and labor union organizations. In-state solicitation has not been strong.

Their enthusiasm sounds like an Amway pitch: "Here's how you can get rich." Their latest success stories, etc. They have candidates aggressively making telephone solicitations under the direct supervision, and coercion, of their staff.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

I'm apathetic. Fourteen-hour days. I'm heading into another week of no kids and I'm supposed to add the daily task of making two hours of distasteful telephone calls to raise money.

They point out the obvious—that I can no longer count on the business portion of my fundraising base. They don't need me. Something I had not thought about—even organized labor may not be the solid prospect. Labor leaders, at least the lobbyists, are being reminded forcefully about who controls the flow of legislation.

We talk some about their other clients. Already private offices across Washington are filled with people like me; seated at a bare desk, legal pad and a computerized list of names and telephone numbers in front of us, telephone in hand—just dialing for dollars.

March 26. Sandy was reading seven-year-old Robert excerpts from letters to the newspaper editor debating at what age should children be taught Mark Twain's *Huckleberry Finn* and *Tom Sawyer*. One of the writers referred to the "N-word."

"What does the 'N' word mean?" Robert asked. "Newt?"

March 29. Sonny Bono makes his maiden speech. He is yielded only 30 seconds and most of it consists of an anguished "stop that—you're gaming." Not as good as "I've Got You, Babe," but it's a start. This will be a big question for generations of C-Span viewers: "Where were you when Sonny first spoke on the floor?"

March 30. Report at the whip's meeting on recent focus groups. I'm leery. Focus groups are more credible than town meetings only because of their price tag.

Mixed reviews from these sessions. The public doesn't know much about the Contract. They are still mad at Congress for constantly indulging in partisan bickering. Newt is seen as being too mouthy and arrogant. (Maybe these focus groups are more perceptive than I thought.) Neither party is resonating.

April 5. Riding in the Capitol subway to vote with lobby reform advocate John Bryant, I joke about the impact of taking his "no gifts or dinners" pledge. We should have done it two years ago. Now we're in the minority and no one wants to take us to dinner anyway.

During the last hours of debate, the Republicans erupt again over Democratic language to "remove the fleeing billionaire tax cut." Their vehemence, particularly from their leadership, only activates the Democrats further. Usually restrained Republican leaders like Tom DeLay rail about Democrats resembling the Soviet Communists forcing fleeing Jews to pay exit taxes.

Even in politics, the constant prospector can find gold in the most unpredictable places. No one at home is following this issue ... now. But it's one that will be used to define candidates in a number of races in the fall. For a party still saddled with constant poll results that it represents the wealthy, why this rabid defense of the inalienable right to take all the money and run—untaxed—after enjoying all the protections and benefits of our nation in amassing an overwhelming fortune?

April 6. A *New York Times* poll has some good news for Democrats. While 70 percent said they liked that idea of $500 child credit, 80 percent said it should be limited to families with incomes of $95,000 or less.

April 7. Republicans set up for Contract ceremony on West Front. Technically, they needed permission from the Public Buildings and Grounds Committee. The Democratic committee staff asks me to make a one-minute on this issue. Somehow I don't think the American people will be too upset.

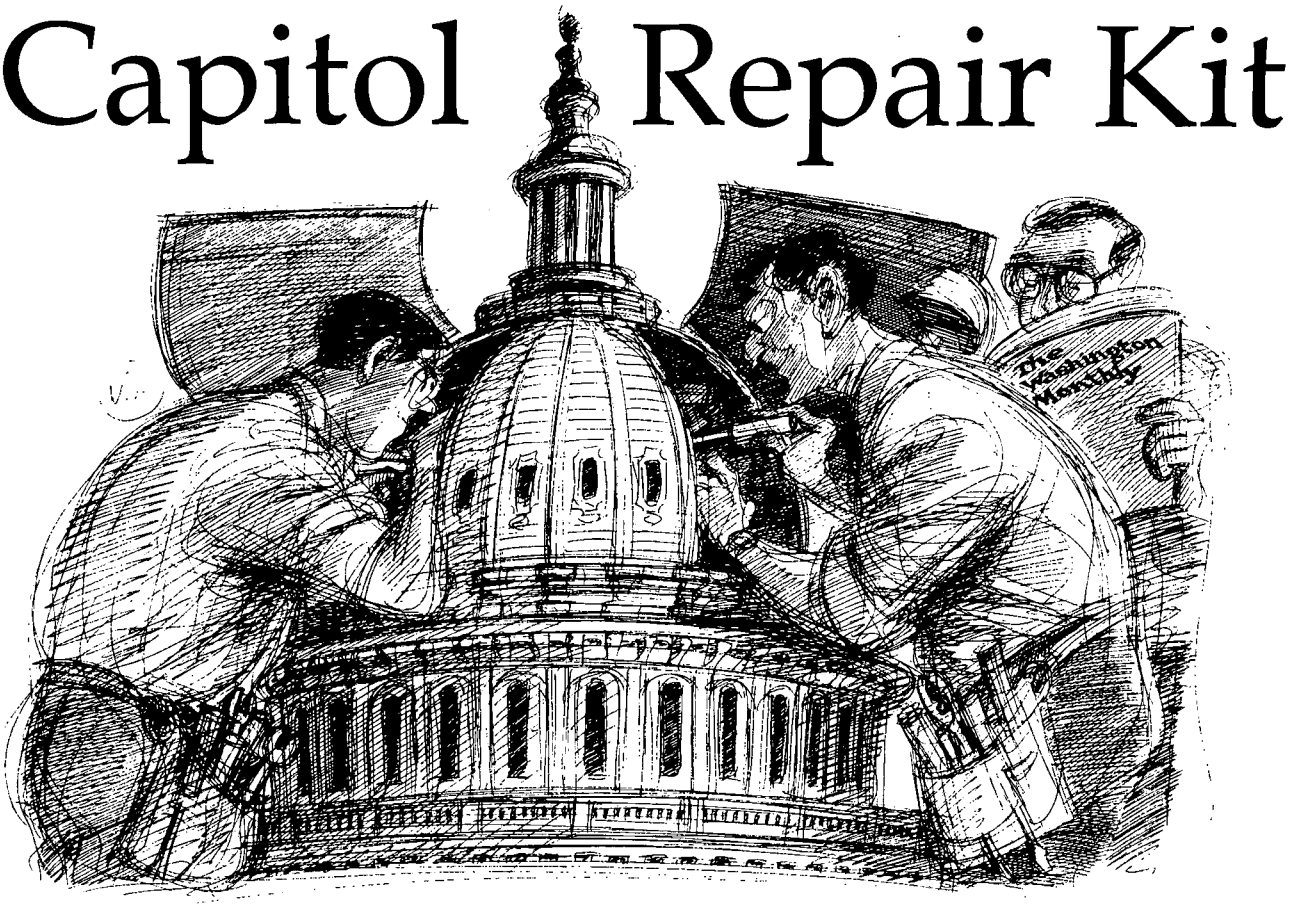
A flurry of post-Contract polls. Happily, the percentage disgusted with Congress but satisfied with their representative has climbed back up to 65 percent. Other polls register general satisfaction—and ambivalence.

April 11. Nathan Deal (D ... whoops, R-GA) announced his transition to the church of Newt, the first House Democrat to change party.

More will probably go before the year is out. The Contract has only hastened the political realignments and hardenings that have been occurring in the past decade. No one likes to lose numbers, but I would rather have the caucus down to the truly committed so that we can begin the long process of building back. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Capitol Repair Kit



While the rest of the media tells you what's wrong with Clinton, **The Washington Monthly** offers ground-breaking, practical solutions the administration could use to solve some of the nation's thorniest problems. And we have fun doing it. The **Monthly** explores the quirks, cons, and paralysis that too often underpin American politics—then we offer a sensible way out. *The New York Observer* says we are the magazine "to which anyone who gives a damn about this country must subscribe."

". . . holds up a deadly accurate mirror to the Washington political culture, exposing its hypocrisies, stupidities, and unexpected triumphs." *–Chicago Tribune*

SUBSCRIBE NOW AND SAVE!

❑ YES! Enter my subscription for a full year (10 issues) to **The Washington Monthly** for only $26.

Name_____

Address_____

City _____ State _____ Zip_____

❑ Payment enclosed ❑ Bill me later

Charge my ❑ VISA ❑ MasterCard

Credit card # _____ Exp. _____

The Washington Monthly
Box 587
Mount Morris, IL 61054

For Canadian and other foreign subscriptions add $7. Please remit U.S. funds.

A5601

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

The Quiet Revolution

Eastern Europeans navigate the fine line between justice and vengance—and speak volumes about their future

BY BLAINE HARDEN

The Haunted Land: Facing Europe's Ghosts After Communism
Tina Rosenberg, *Random House, $25*

Thinking back over the collapse of Communism in Eastern Europe, two images bully their way into my mind's eye.

First, the central square in Sofia, Bulgaria, on a clear, cold Saturday afternoon in November 1989: Half a million Bulgarians stand together, many of them weeping and hugging strangers. They are stupid with joy. In a nation that has never known anything other than government-by-thugs, they are suddenly and bewilderingly free. After four hours of singing and chanting "Dem-O-Kratz-See-Ya," a computer operator named Mario Musilev walks home with his wife. Both are drunk on visions of the future. "It is a situation in my country that I just can't believe," he says. "We have no tradition of democracy. But we can learn."

Second, two years later, the ruins of Vukovar in the former Yugoslavia on a rainy November afternoon: The Serb-controlled Yugoslav Army is hosting a press luncheon to explain why it had to pulverize this city on the Danube in order to save it from the Croats. Before the meal, the Serbian high command stops the bus in the front of a bombed-out hospital. As reporters pile off, a Serb officer explains that "massacre victims are to the right." In a garden, heaped together in the mud, are the bodies of about 60 civilians, many of them elderly men and women. Several of them have skulls that appear to have been popped open with axes. Grayish brain tissue has spilled on their faces and shoulders. Eyes have been gouged out and arms hacked off. After showing off the dead, whom reporters are assured were all killed by merciless Croats, the Serb tour guide explains it is time to eat. Soup and bread are served in a freezing hotel dining room that has been ventilated by months of Serbian shelling. Plum brandy is poured and a wild-eyed Serb colonel makes a toast: "I would ask you to see the fate of Vukovar as the reincarnation of fascism."

I don't think I am alone in succumbing to the power of these images. Similar pictures of joyful revolution and nauseating violence have come to dominate whatever shared recollections Americans may have of the changes that erupted in Eastern Europe in 1989. Sadly, the endless procession of violent television images coming out of the former Yugoslavia may have by now purged memories of the extraordinary civility that characterized most of Communism's fall. Does anyone remember that dissidents in Prague advised demonstrators in Wenceslas Square not to step in flower beds while kicking out Communists?

Violence is easy to write about, easy to photograph, and it fascinates. But by fixating on it, journalists and the audiences they feed have tended to ignore most of the human beings who live in the former East Bloc. In *The Haunted Land: Facing Europe's Ghosts after Communism*, Tina Rosenberg makes amends. She looks between the familiar bookends of joy and bloodshed and fills in the vacuum with a fresh, superbly reported,

Blaine Harden covered Eastern Europe for The Washington Post *between 1989 and 1993.*

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

and well-written triptych of tales about the human mechanics of the shift from totalitarianism to democracy.

It is a quiet business Rosenberg undertakes. There are no crowds weeping in the central square, no brains splattered in the mud. Her book revolves around matters of justice and vengeance, amnesty and amnesia, reconciliation and the rule of law. Instead of nations that are war-shattered basket cases, Rosenberg concentrates on "the more fortunate countries": Poland and what used to be East Germany and Czechoslovakia. These are places where, for the most part, democracy has taken root and where capitalist change has been far-reaching. And yet, as Rosenberg eloquently shows, the totalitarian past infects the lives of the peacefully liberated. An East German woman divorces her beloved husband because files in the secret police archives show that he spied on her and their children for the Communists. Such quiet agonies fill this book.

Rosenberg's considerable success lies in the subtlety of the questions she asks and in the diligence with which she has dug up human stories that offer answers. In countries where almost everyone collaborated with the system, who is guilty? How can a free nation punish the guilty without falling back into repression? Rosenberg, a freelance journalist whose previous work has dealt with violence and dictatorship in Latin America, shows in *The Haunted Land* that shades of gray are excruciatingly difficult to sort out for Eastern Europeans who grew up being taught by an absolutist regime. Before the revolutions, there were always clear villains—the CIA, the bourgeois, the imperialists. After the revolutions, there remains an insatiable appetite for simple answers. Everyone has a conspiracy theory to explain why the streets are not yet paved with gold. A Czech dissident insists that "we need new guilty people." Poland no longer has Jews, but it blames them anyhow.

Wiktor Osiatynski, a Polish constitutional lawyer, is quoted in this book saying that every revolution faces three dilemmas: "First, what to do with the king. Second, what to do with his courtiers. And third, and by far the most difficult, what to do with people's frustrated expectations. And then it occurs to the new leaders—aha! We have a king we haven't guillotined yet!"

The heart of *The Haunted Land* is the story of the reluctant Communist king: General Wojciech Jaruzelski, the Polish leader who imposed martial law in 1981 and snuffed out Solidarity for the better part of a decade. A bald, funny-looking general with ram-rod posture and dark glasses, Jaruzelski took center stage in Poland's attempt to purge the remnants of communism.

Former Defense Secretary Caspar A. Weinberger once called Jaruzelski "a Soviet general in a Polish uniform." In a revealing profile that is by far the most readable, deeply reported, and morally vexing part of her book, Rosenberg shows how simple-minded assessments like Weinberger's miss the essential tragedy of Soviet-imposed rule in nations such as Poland. A fundamental truth about Jaruzelski is that he is a Pole. He is the son of Polish nobility, a man who speaks Polish with the loving precision of a poet, a man obsessed by posterity's judgment of his role in the survival of his tortured homeland. He never drinks, never cheats on his wife, never steals a single zloty. He and his family suffered terribly under Soviet rule after World War II and when Gorbachev loosened the reins of empire, Jaruzelski gracefully surrendered power to Solidarity.

Yet he was a Communist. As Rosenberg neatly puts it, "perhaps the only man in Poland who was a Communist because he believed in communism." His loyalty was such that when his mother died, he checked with the Party before attending the funeral. He collaborated in obscenities carried out in the Party's name. He did not object to anti-Semitic purges, the 1968 invasion of Czechoslovakia, or the order to shoot striking Poles. As for martial law, Jaruzelski insists that he had to do it to head off a brutal Soviet invasion.

Rosenberg sifts through the voluminous evidence for and against the imposition of martial law—a subject of endless debate in Poland—and concludes that Jaruzelski was probably justified in believing that he was choosing a lesser evil. A central contention of this book is that Jaruzelski and others like him should not be tried in courts of law for acts that are morally and legally ambiguous. Rather, Rosenberg argues that Eastern Europeans can shake free of totalitarianism only by examining what has been done to their collective humanity. The cure is truth, not prison.

A truthful examination of Jaruzelski's deeply compromised humanity contains lessons that every post-Communist resident of Eastern Europe

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

needs to learn about his or her collaboration with Them, the faceless authority of the Party.

"When does it end, this submission to Them?" Rosenberg asks. "A man joins the Party thinking: These bastards are idiots, but I'll go along, and someday I'll be making the decisions myself. But when? No one in the history of Polish communism had more formal authority than Jaruzelski in 1981. And yet above him still loomed Them. Worse, the Them was in himself.... Martial law was the culmination of decades of belief that Poland had no choice but to submit. [Jaruzelski] was guilty of not a moment of servility but a lifetime."

So much for the king. What of the courtiers of communism? Again, Rosenberg finds less criminal guilt than human weakness, petty selfishness, and habits of mind that refuse to comprehend shadings of culpability. The Czechoslovaks, those charmingly peaceful revolutionaries who did not step in the flower beds, decided after the fall of communism to tar and feather fellow citizens whose names showed up on secret police lists of informers. Lacking documentary evidence, they ignored most of the big fish responsible for running the police state. They focused, instead, on snitches, the names of whom were contained in government files. These little fish were banned for five years from high-ranking public office, university, or state enterprise positions. Their names were published in newspapers. They lost private-sector jobs, friends, and reputations. Many of those whose names were listed as informers were guilty of nothing more than bad luck, unfortunate friends, or the disclosure of useless banalities. But new lieutenants of the post-Communist state felt they had to punish someone. Rosenberg presents Prague democrats who categorically refuse to believe that secret police files were riddled with errors and distortions. She observes that "even dissidents cannot avoid absorbing the pathologies of the system that formed them."

The final third of this book deals with East Germany, whose 16 million people were the most economically prosperous and most spied upon inhabitants of the Eastern Bloc. At least 4 out of 10 East Germans had some connection to the gargantuan secret police structure called the Stasi, either as informer or victim. For such a state to exist, Rosenberg shows, there had to be mass acquiescence. "The system was confining, boring, and vaguely sinister, but it was comfortable and it was theirs."

After the collapse of such a state, Rosenberg makes a convincing case for bending Western conceptions of justice. She argues that a border guard—chosen for his lack of intelligence and sealed away from all non-official sources of information—can genuinely believe it is moral to shoot human beings trying to jump the Berlin Wall. Here again, Rosenberg insists that the cure for the inherited sicknesses of the past is not a court of law. It is truth-telling, embraced by the new state, officially sponsored, and widely disseminated. This prescription, though, can backfire in a wealthy, westernized place like the united Germany. Stasi informers have profited handsomely from making Oprah Winfrey-style confessions on television.

At several points in this book, Rosenberg veers away from her focus on justice to deliver long, detailed accounts of bungling by the U.S. government in its dealings with the old Eastern Bloc. She even reaches back to the aftermath of World War II, damning Washington for appeasing German industrialists with Nazi connections. These wanderings make me suspect that the author, a first-rate journalist, is padding a theme she has thoroughly mined. I also suspect she grew a bit impatient with her narrow focus on peaceful change, while a hot war raged on in the former Yugoslavia. The occasional marbling of fat in the narrative, however, does not come close to spoiling a work that is hard-nosed, neatly organized, and, on occasion, wickedly insightful.

For this reader, the most enduring lesson taught by *The Haunted Land* is probably not what the author had in mind. The book shows that—no matter what sickening events may transpire in the Balkans—the changes in Eastern Europe have been spectacularly beneficial. I put this book down reassured that the process of building a civil society is well begun. The savagery that grinds on in Bosnia does not speak to the lives of the majority of those liberated in 1989. The joy that then filled the streets of Prague, Warsaw, Berlin, and Sofia was not fool's gold. It was genuine, precious beyond measure, and it has been invested—albeit with many cruel and stupid mistakes—in the building of free democratic societies. □

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Tidbits & Outrages

VICE SQUAD BREAKS UP RHYME SCHEME

The New York Times reports that municipal authorities in Rye, New York have concluded that a law designed to prohibit topless dancing also forbids coffee-house poetry readings.

THE CHICKEN WOULD LIKE TO PLEA BARGAIN

According to the *The Miami Herald*, Dade County has had to create a special maintenance squad to clean up the dead chickens, goats and lizards, and other remains of vodoo rituals performed each day in and around the central courthouse on behalf of Cuban and Haitian defendants hoping to avoid conviction.

AND IF YOU ARE NOT ON THIS FLIGHT, PLEASE DISREGARD

If you are sitting in an exit row
and you cannot understand this
card or cannot see well enough
to follow these instructions,
please tell a crew member.

(From a United Airlines DC-10 safety card.)

FOLLOWED BY 'WORKING OUT WITH YLENA BONNER'

Nobel Prize-winning Russian novelist Aleksandr Solzhenitsyn now hosts a Moscow TV talk show.

"I'VE GOT TO DO IT TO PRESERVE MY POLITICAL VIABILITY"

In Dallas recently, an 80-year-old World War II veteran received a letter from the Selective Service ordering him to register for the draft.

—Scott Shuger

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

This Smut's For You

For all their jeremiads about the decline in traditional values, Republicans are ignoring the greatest culprits—Madison Avenue advertisers favored by the GOP's beloved businesses

BY JONATHAN ROWE

Marketing Madness: A Survival Guide for a Consumer Society
Michael F. Jacobson and Laurie Ann Mazur, *Westview Press, $18.95*

When rightwingers talk about a plot to undermine America's traditional values, they aren't as flaky as many liberals would like to believe. The Right is confused, however, about how the plot got started.

The historical record is pretty clear. The aim, one conspirator wrote, was to replace the American work ethic, and traditional family and community concerns, with a cult of self-gratification. He foresaw a new culture in which the average American could "feel moral even when he is flirting, even when he is spending, even when he is not saving," and "demonstrate that the hedonistic approach to his life is a moral and not an immoral one."

This was not Timothy Leary, Jane Fonda, or one of those "McGovernik" liberal straw men that House Speaker Newt Gingrich is so fond of dragging out. Rather it was Dr. Ernest Dichter, a father of modern advertising, writing to his corporate clients back in the fifties. Dichter's own approach to this countercultural mission—called "motivational research"—quickly grew passe. But he described with the innocence and candor of the fifties the basic message that has permeated the nation's life and culture ever since.

The end-product of that message is the subject of a new book called *Marketing Madness* by Michael Jacobson, director of the Center for Science in the Public Interest, and Laurie Ann Mazur, a freelance writer. The title is unfortunate, suggesting as it does a kind of bemusement with those crazy guys on Madison Avenue. There is nothing cute or cuddly about what they have done to our culture. The corporate sector in America spends some $150 billion on marketing yearly, almost as much as the nation spends on higher education. It so saturates the nation's cognitive experience that the typical American will spend three years of his or her life watching TV ads alone.

If there's a moment in your life when you might actually be able to stop and think, some corporate pitchman is rushing to get there first. TV screens are everywhere—in the waiting lounges at Dulles Airport, the jury lounge at D.C. Superior Court, health clubs, public school, even the Trailways Bus between Washington and New York.

The infamous Channel One, which has turned the classroom into a free-fire zone for candy bar and sneaker ads, makes perfect sense in light of this quote from Carol Herman, a senior vice president of Grey Advertising. "It isn't enough just to advertise on television," Ms. Herman advised potential clients. "You've got to reach the kids throughout their day—in school, as they're shopping at the mall ... or at the movies. You've got to become part of the fabric of their lives."

The values this propaganda serves up, more-

Jonathan Rowe is a contributing editor of The Washington Monthly.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

over, are the kind that, in a Mapplethorpe photograph, would provoke a volcanic eruption from the Right. The authors show one teen-magazine cover sponsored by Pepsi that, a few decades ago, would have appeared on the walls of auto repair shops in the seedier parts of town.

The industry hits the absolute pits in the nation's ghettos. There aren't many billboards where the Republican leadership lives, but minority neighborhoods teem with them. One study in New Jersey found that over three-quarters of these were hawking cigarettes and booze, often with sultry, pre-coital images. You'd think Ralph Reed and the Christian Coalition might take notice. But they've been busy blaming government and liberals for teen pregnancies and the moral crisis of the ghetto.

Another casualty of the billions that advertisers pour into the nation's media is freedom of speech. The way the tobacco industry has squelched stories about the cancerous effects of smoking is by now well-known to readers of this magazine. From Helen Gurley Brown, whose *Cosmopolitian* magazine is a friendly venue for tobacco ads, the book offers this choice quote: "Having come from the advertising world myself," Ms. Brown said, "I think, 'Who needs someone you're paying millions of dollars a year to come back and bite you on the ankle?'" *Cosmo* doesn't, and most of the media don't either.

A survey of editors in 1992 found that almost 90 percent said that advertisers try to influence stories, often successfully. Sheila Kaplan, a Washington writer, had to remove a reference to Phillip Morris from a story for *Mademoiselle* on women lobbyists when the company threatened to pull its ads. Even "Saturday Night Live" altered a spoof on the auto industry when General Motors, a major sponsor on the show, complained. In Russia you couldn't say anything bad about the government; in America, you can't criticize the sponsor, or even ignore it: Some years ago *Ms.* magazine ran a cover story on Russian women who were exiled for publishing underground feminist literature. The story won an award but *Ms.* lost the Revlon account for its efforts. In the cover photo, the Russian freedom fighters weren't wearing make-up.

Marketing Madness is full of gems like this, including reproductions of actual ads. It will be a standard reference for anyone who writes about the commercial culture, or simply worries about it. In a just world, it would find its way into the nation's classrooms, for use when Channel One is running Nike and Snickers ads.

I just wish the authors had developed the political implications a little more. They are sniffing around one of the central hypocrisies in American political life—the gap between the Right's moral preachments on the one hand, and its slavish support for a corporate economy that undermines those values at every turn. Dan Quayle gets great mileage out of attacking "Murphy Brown" but he conveniently ignores corporate sponsors like GM and IBM for whom the show delivers a target audience. The new majority works itself into a lather over a few dubious National Endowment of the Arts grants, the fruits of which only a few thousand Americans ever see. But in the face of Anheuser-Busch, R.J. Reynolds, General Motors and other pied pipers of hedonistic self-indulgence, Gingrich, Limbaugh, and the rest turn downright wimpy. The reason, this book suggests, is that the real theme of the Republican revolution, from right-wing radio to the Contract, comes straight from Helen Gurley Brown: Don't bite the people who sponsor your shows, or spend millions of dollars on your campaigns. □

WHY PARTIES?

The Origin and Transformation of Party Politics in America

JOHN H. ALDRICH

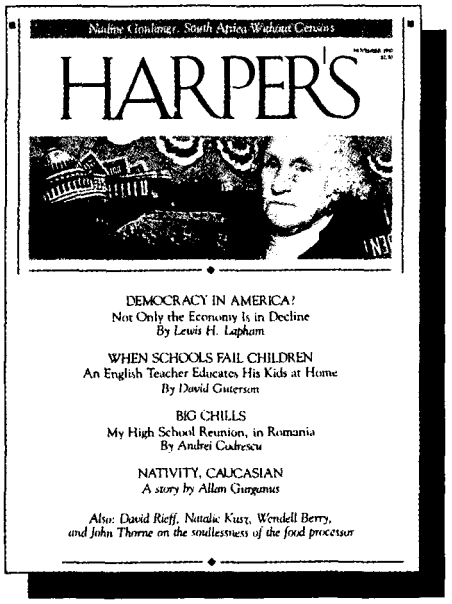
"This is the most interesting piece of work on American political parties that I have seen in years. It will change people's minds about what political parties are, how they form, and how they develop, and will stimulate further research to elaborate, probe, or debunk its findings."
—Charles Stewart, MIT

Paper $16.95 368 pages 25 line drawings, 15 tables
American Politics and Political Economy series

UNIVERSITY OF CHICAGO PRESS
5801 South Ellis Avenue, Chicago, Illinois 60637

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

It's not homework.



Just because a magazine is intelligent and challenging doesn't mean reading it has to be hard work.

On one side, there are the general media magazines filled with the usual hype. They spoon-feed their readers the same old easy-to-digest mush. And on the other side are the stodgy, long-winded intellectual magazines. You can find some good reading in them – if you have the time and energy to search for it.

Then there's Harper's Magazine. Smart, but always concise and to the point. Every issue is loaded with gems of thought, opinion, wit and humor. Harper's is a pleasure to read. But that makes it no less serious. You'll find articles, essays, letters and fiction that consistently challenge conventional perceptions.

Harper's presents facts objectively, allowing you to draw your own conclusions. And speaking of facts, how about "Harper's Index"? It's a statistical tapestry, a minefield of unpredictable information. Try to stop reading it once you've started. You can't.

Harper's Magazine is original and inspiring. It's truly exceptional.

And right now you can take advantage of a special introductory deal; a full year of Harper's Magazine–12 issues–for *only $12*. That's 66% off the regular newsstand price. Not only that, it's risk-free, because if at any time during your subscription you're not completely satisfied, you can simply cancel for a full refund on all unmailed copies.

Fill out and mail the attached postage-paid card. And get ready – soon you'll be enjoying your first issue of Harper's.

☐ Yes, please send me Harper's at the special introductory rate of 12 issues for $12.

☐ I prefer two years (24 issues) for $22.

Name _____

Address _____

City _____

State _____ Zip _____

☐ Bill me later. ☐ Payment enclosed.

Mail to: Harper's Subscription Department, 666 Broadway, New York, NY 10012.

Please allow 6-8 weeks for your first issue. Canada $21 (CDN funds), includes postage. All other countries $38 (U.S. dollars only), includes special delivery.

H2149

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Political Booknotes

The Last Harvest: The Genetic Gamble that Threatens to Destroy American Agriculture
Paul Raeburn
Simon & Schuster, $23.50
By Gregg Easterbrook

Readers who peruse the recent best-seller *The Hot Zone*, whose flap copy suggests that a frightful virus accidentally set loose by a government lab near Washington, D.C. will "kill 9 out of 10 people" in the area within days or even hours, may notice that by the end of the tale—ah, no one's dead. *The Hot Zone* became both a hot book (deservedly: it's a good read) and the inspiration for two big-studio movies despite the fact that the very thing it concerns, the unstoppable runaway of a virus worse than bubonic plague, did not happen.

Paul Raeburn faces the same problem—writing about something that hasn't happened—in his new book *The Last Harvest*, and handles it well. Where *The Hot Zone* had Hollywood-esque aspects such as calls to the President and commando teams wearing biological protection suits, *The Last Harvest* has assistant professors in beat-up jeeps looking for potato roots in Mexico. Yet the disaster of which *The Last Harvest* warns is in some ways more compelling than an outbreak of a killer disease. It is Raeburn's thesis that modern farming, based mainly on cloned seed groups from a comparatively narrow genetic background, has put American agriculture in danger of "catastrophic losses" for which there may be no immediate antidote.

Raeburn, the science editor of the Associated Press, relates many chilling stories of the narrowing genetic base of modern farming. Fifty years ago, he writes, the Texas wild rice strain called *Zizania texana* was common around the San Marcos River near San Antonio. But development has altered most of the natural habitat for *Z. texana*, a plant some agronomists think holds tremendous genetic potential. Attempts to preserve the plant by breeding it away from the San Marcos River have not been successful.

This is a problem some researchers call "genetic erosion." Plant breeders need wild genes to generate crosses when a new blight or insect attacks crops. Though doomsday estimates for world species loss are almost certainly exaggerated, they need only be a little right—far less than half right—to mean that wild genes for plants are "eroding" at an alarming pace. Western agriculture is increasingly based on seeds cloned from a narrow inventory. For example, roughly 40 percent of the corn grown in the U.S. is now based on seeds cloned by a single company, Pioneer Hi-Bred. Use of cloned seeds has caused no meaningful problems so far, while helping bring about the unprecedented contemporary farm productivity that is, for the moment at least, keeping the world fed. But the fewer seed types in use, the greater the danger for genetic erosion.

Raeburn documents this problem well. It is to be admired that he has spent so much time producing a well-written, accessible book on the sort of seemingly esoteric problem often ignored until it becomes an emergency. My main objection to *The Last Harvest* is that it makes short shrift of genetic engineering, which may offer a counterbalance to narrowing agricultural gene pools. Gene engineering has produced no crop yield increases so far, but researchers have been looking at this technique for only about a decade.

And I wish Raeburn had made clearer the link between his work and this year's debate on the reauthorization of the Endangered Species Act. Most current research tends to suggest that plans for general habitat protection make more sense than the current system of lawsuits to pick and choose species for special safeguards. With elements of the Right now out to shred the Endangered Species Act and elements of the Left still clinging to the cumbersome species-by-species litigation approach, the progressive position is to advocate a new system based on general habitat preservation, yet allowing for natural species variations (including extinctions) within habitats. Raeburn's excellent *The Last Harvest* provides one of the many reasons such a system could be superior to present law.

Gregg Easterbrook is a contributing editor of The Atlantic Monthly, Newsweek, *and* The Washington Monthly.

Maverick: A Life in Politics
Lowell P. Weicker, with Barry Sussman
Little, Brown and Company, $22.95
By Kirk Johnson

Through most of Lowell P. Weicker, Jr.'s 30-year public career, from his days in the United States Senate during Watergate to his tumultuous four years as governor of Connecticut, he marched to a tune only he could hear. Opponents who heard music of their own were likely to be lambasted as tone-deaf, or just not smart enough to hear the bells that rang so loudly for

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Weicker.

In a world of political spinelessness, Weicker's contrariness made him charming, while the equal measure of self-righteousness that fueled it made him a huge pain in the neck.

His new book of political reminiscence, *Maverick: A Life in Politics*, captures that mixture of traits perfectly, which is to say that it is by turns inspiring and utterly annoying. At its core, it is a scrapbook of Weicker's favorite fights over the years, with his role during Watergate as the Republican party's *bete noire* and chief Nixon administration inquisitor taking center stage. The underlying theme, and perhaps its most contrary note of all, is that politics is a good and noble calling, and the process of bargaining and deal-making is not sordid or shameful but simply how it all works.

Maverick is not a prescription for a new program to save America, as some people might have expected, given Weicker's recent musings about running for president. Although he pronounces the death of the two-party system and predicts multiple credible candidates for high office in the future, the closest he comes to outlining an agenda is near the end when he says that whoever is elected must have the guts to really balance the federal budget and not simply dance around it. Skim a few chapters, and you'll know who has more guts than anyone: Lowell P. Weicker, Jr.

"On occasion," he writes, "as when colleagues said they would not vote and speak out as I did for fear of a backlash, I did sometimes see myself as a maverick. Independent, unafraid, an oddity."

Yet his book is also in part a manual for how to make going it alone pay great dividends. Watergate, which broke the careers and lives of so many, was Weicker's deliverance. His high-profile role on the televised committee hearings, starring as the brave young Republican from Connecticut charging full-tilt against members of his own party, alienated Republicans in his home state but won over many Democrats and independents—the very coalition he used to stay in the Senate for 18 years and win the governor's office in 1990. "I wasn't hurt by Watergate," he writes. "I was made by it."

Given the ponderousness of many political memoirs, Weicker's breezy if self-absorbed tone can be refreshing at times, and his penchant for salty language and the settling of old scores is malicious fun. No recent Republican president comes off unravaged save Gerald Ford, who Weicker believes was one of the best presidents in recent years. And I challenge you to find any recent high-minded political tome in which the author confesses, after an encounter with his foes, "I was pissed."

Still, this reader sometimes wished for a little less about how mad Weicker got, or who praised him, and a little more reflection on his times, and what they taught us, or him, about the world. For all the detail on how the Nixon administration fell, Weicker rarely allows much of a glimpse of what really drives him.

He tells us, for example, he came to Washington as the congressman from Connecticut's fourth district in 1968 ready to support some of the most conservative causes on the Republican agenda, such as school prayer. By the early seventies, during his first term in the Senate, however, he seems to have emerged fully formed as a socially liberal protege of the late Jacob K. Javits. The evolution of his thinking, set against the backdrop of the Vietnam era, is a story I very much would have liked to have read.

Like the man himself, however, Weicker's book simply comes as it is, take it or leave it. If you can get past the pompous chapter titles like "Saving the Oceans," and "Protecting the Constitution," you're likely to find enough nuggets to keep you going, and perhaps in the end make you wish that there were a few more like him out

The Power of News

MICHAEL SCHUDSON

Some say it's simply information, mirroring the world. Others believe it's propaganda, promoting a partisan view. But news, Michael Schudson tells us, is really both and neither; it is a form of culture, complete with its own literary and social conventions and powerful in ways far more subtle and complex than its many critics might suspect. A penetrating look into this culture, *The Power of News* offers a compelling view of the news media's emergence as a central institution of modern society, a key repository of common knowledge and cultural authority.

One of our foremost writers on journalism and mass communication, Schudson shows us the news evolving in concert with American democracy and industry, subject to the social forces that shape the culture at large. He brings to bear a wealth of historical scholarship and a keen sense for the apt questions about the production, meaning, and reception of news today.

$29.95 cloth

At bookstores or from

Harvard University Press

800 448 2242

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

there, blowing their own horns in full, discordant exuberance.

Kirk Johnson, a reporter for The New York Times, *covered the Weicker administration in Hartford.*

Conflict and Compromise: How Congress Makes the Law
Ronald D. Elving
Simon and Schuster, $25
By Lewis W. Wolfson

We are getting a lot of lessons these days about how Congress and the Constitution ought to work. My new talk-radio friend Ollie North says the Congress is "no longer the kind of representative government the Founding Fathers intended it to be." If Ollie's Republican friends don't succeed in bringing the Congress back to the glory days of gentleman farmer/legislator, it won't be for lack of trying. Their methods might make some (but not all) of the Founding Fathers proud: Ram through legislation and get the job done in the morning so citizen legislators can get back to plowing the fields in the afternoon.

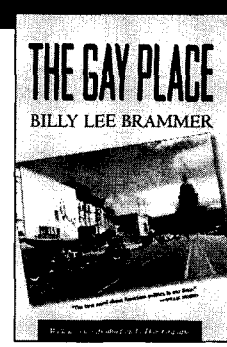
In this mood, there is something almost refreshing about a book on a bill that Congress took a decade to pass: the Family and Medical Leave Act. The bill, signed by Bill Clinton in 1993, guarantees Americans up to 12 weeks of unpaid leave from work to care for newborn children or sick relatives. It is one of the most popular bills in the last decade—in 1991, 76 percent of Americans approved of the bill—and yet it wound its way through six Congresses, countless "final" votes, and two vetoes by George Bush over the course of 10 years. Elving, the political editor of *Congressional Quarterly*, does a masterful job of charting each twist and turn in the bill's evolution into law, reminding us of the effort representative democracy can demand, even for an idea whose time has come.

The saga of the Family and Medical Leave Act began in 1984 when a federal judge ruled that a California law requiring a company to grant four months of disability leave to a pregnant female employee violated federal statutes requiring equal treatment of men and women in the workplace. Howard Berman, who had steered the law through the California legislature, was now a U.S. congressman. Berman wanted a federal law based on the California model and searched for ways to make the law resistant to court challenges.

The coalition-building began immediately. Berman first turned to Donna Lenhoff of the Women's Legal Defense Fund for help. Lenhoff suggested a key shift that reduced the prospect of court challenges, but even more important, gradually lured some House conservatives under the "Family Leave" tent. By protecting the job rights of anyone who had to take leave to care for a disabled or ill spouse, child, or aging parent, in addition to newborns, the bill would not be considered a "women's bill" but a "family bill." Over time, Democratic Representatives Pat Schroeder of Colorado, Bill Clay of Missouri, Bill Ford of Michigan, and New Jersey's Marge Roukema (an early Republican supporter) played pivotal roles. Connecticut's Christopher Dodd led the drive in the Senate.

It wasn't easy. Businesses, especially smaller firms, did not want to be stuck with what was seen as more "social engineering." When it became clear that Bush would veto the legislation, the small business lobby became crucial because many of its Republican friends in Congress would be needed to override the Bush veto. Over time, congressmen reached a compromise that would exempt businesses with under 50 employees. Small business was never in love with the Family and Medical Leave Act, but its opposition to the bill was sufficiently muted to enable the bill's sponsors to lure moderate Republicans into the fold.

While women's organizations spearheaded the effort, other groups played



Reissued with a new introduction

THE GAY PLACE

By Billy Lee Brammer
With a new introduction by Don Graham

"There are two classic American political novels. One is All the King's Men. . . . *the other is* The Gay Place, *a stunning, original, intensely human novel inspired by Lyndon Johnson. . . . It will be read a hundred years from now."*
—DAVID HALBERSTAM, *NEW YORK TIMES BOOK REVIEW*

$17.95 paperback

Back in print

A POLITICAL EDUCATION
A Washington Memoir
By Harry McPherson

"One of the best books on life in Washington to have been published in this century."
—*NEW YORKER*

This insider's view of Washington in the 1950s and '60s has become a political classic since its original publication in 1972. McPherson adds a new preface, reflecting on changes in Washington and on the lessons Bill Clinton could learn from the presidency of Lyndon Johnson.

$19.95 paperback

UNIVERSITY OF TEXAS PRESS
Box 7819 • Austin 78713 • At bookstores, or call 800-252-3206.

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

roles and each had its own unique priorities. The Catholic bishops' lobby strongly supported the pro-family bill but would run at any hint of leave for abortions. The AARP would sign on only if it could secure leave for the care of aging parents. Organized labor would leave the table if workers' rights were traded for business's support. With every change in wording, the support of interest groups and members of Congress shifted. Even at the end, three Republican freshwomen who had been thought to be supporters of the bill spoke out against it.

The bill reached its final form in 1991, passing both houses of Congress only to be vetoed by Bush, who said the bill would tie the hands of businesses. An attempt to override the veto failed, but Congress re-introduced and passed the bill without any major changes in 1992, at the height of the presidential campaign, knowing Bush would veto the bill again and leave himself open to charges that he was "anti-family."

After Clinton was inaugurated, he made the Family and Medical Leave Act his first piece of legislation, signing it on the White House lawn on February 5, 1993. Had the various compromises required to build the coalition undercut the law's social benefit? Thus far, there is little reason to believe so. To be sure, Elving writes, many Americans cannot afford to leave work for three months without pay, even if their jobs will be waiting for them. But millions of Americans now have an option they didn't have two years ago.

This is a book about process, not about white hats and black hats, or blood on the House floor. The players are not pictured as PAC-driven or obsessed with ideological agendas. Key staffers feel that pragmatism and compromise are tools to bring about a worthy end. You won't read about Chris Dodd's nocturnal habits, or whether Pat Schroeder cashed checks in the House bank. And refreshingly little time is spent dwelling on political chest-pounding and vapid sound-bites—too often what the public sees and hears about Congress in the press.

But what emerges is a valuable and highly readable description of how Congress makes a law. *Conflict and Compromise* may lack the dash of Steven Waldman's *The Bill*, the account of the creation of Clinton's national service corps, but Elving's ground-zero perspective and fluid writing style will be welcomed by students of Congress accustomed to plowing through arid statistics and academese.

Elving concludes that the time it took to get the helpful and largely popular law enacted is an example of the cost of divided government and minority obstructionism. But the odyssey also shows that beneath the anger and shouting, representative democracy can still work. Even with the recent sweeping changes in Congress, Elving notes, the "underlying forces and structures ... remain much the same. Even after a dramatic role reversal between the parties, the human dynamic of conflict and compromise continues."

One of these days, Ollie and Rush, with their two-dimensional view of government and their ideological huffing and puffing, will fade. If other journalists follow Elving's lead and spend more time laying out Congress' process it might speed that blessed moment. But it will take more news organizations finally understanding that C-Span, and process reporting by newspapers like *The Wall Street Journal* and *The New York Times*, are not for the political elite, but in fact respond to a widening public interest in how Congress works.

But politicians more than the press have kept us in the dark about Congress by underestimating Americans' intelligence and interest and exploiting Washington's mysteries instead of explaining them. If the press demands to know more, politicians will be forced to reveal more. When that day comes, when Americans can truly understand the forces that move the democratic process, we just might have the kind of citizen legislature that the Founding Fathers intended.

Lewis W. Wolfson, professor of communication at American University, is author of The Untapped Power of the Press, *and has written on the media and politics for* The Hill.

The NEA and AFT: Teacher Unions in Power and Politics
Charlene Haar, Myron Lieberman, and Leo Troy
Pro-active Press, $25
By Maribeth Vander Weele

America's swerve to the right last November put the nation's two teachers unions in the crosshairs of critics of failing education. Republican-controlled state legislatures, giddy with the prospect of dressing down the powerful, traditionally Democratic unions, have produced a spate of proposals that threaten union strength, such as reducing union bargaining leverage and giving districts the freedom to more strictly punish striking teachers.

A book, then, about the powerhouse teacher unions—the National Education Association and the American Federation of Teachers—couldn't have come at a better time. *The NEA and AFT: Teacher Unions in Power and Politics* is a clarion call for policymakers to understand these important players in education and politics. This is made all the more urgent by the potential merger between the two unions. Talks between the two long-running rivals have broken off for now, but may resume in the future.

The NEA is already the largest union in North America, and perhaps the world, with 2.2 million members. The merged teacher union would surge to a membership unprecedented by any union anywhere. "It would be the Goliath of labor," write authors Myron Lieberman, Charlene Haar, and Leo Troy. The merged union would number 2.5 to 2.7 million members initially; it could add an additional million within a decade.

This book provides valuable insight into how the NEA and AFT amassed

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

their power, but it fails to explore a critical question: how that power undermines the best interest of children.

It barely mentions the wretched school building conditions that result when maintenance funds are diverted to teacher salaries; the harm to students when incompetent teachers cannot be dismissed because the unions have negotiated contracts that make firing bad teachers nearly impossible; and the fact that would-be parent volunteers are kept out of schools because their work threatens paid union labor.

In contrast, the authors go into ponderous detail about arguments over secret ballots at union conventions; varying estimates on the size of union membership; and the internal politics over the merger issue. The authors could have summarized such information and deftly relegated the details to endnotes for culling by only the most curious union aficionado. Indeed, the importance of these topics to the question of the quality of public school education is comparatively minor.

Despite its shortcomings, *The NEA and AFT* draws a useful picture of the unions' role in everything from the election of Bill Clinton to health care reform. One of every 10 delegates to the 1992 Democratic National Convention was a member of either union. The unions were powerful supporters of health reform because if the federal government absorbs school medical costs, more money will be available for teacher salaries.

But their influence isn't limited to only those issues that directly affect them. The NEA's political action committee was the third-largest donor in 1992, behind special interest heavyweights the Teamsters and the American Medical Association. With that money they have chimed in on a range of topics from Haitian refugees to the balanced budget amendment.

The teachers unions also play pivotal roles in state legislative races, local school district races, and ballot questions on education. The battle over California's 1993 Voucher Initiative (Proposition 174), for example, may have been "the most intensive campaign over a state educational initiative in U.S. history," the authors report. The measure would have provided families vouchers worth $2,600 to enroll each child in any public or private school of their choice. Fearing that the vouchers would drain children from public school systems, the California Teachers Association, the state affiliate of the NEA, spent an astounding $12.3 million to defeat the proposition.

The linchpin to the unions' political power is their structure. The advent of collective bargaining rights for public employee unions in the sixties spawned, as a side effect, vast political machines. Those machines, effectively organized under a national umbrella, were strengthened by a number of factors. Teachers have more time than most citizens to serve as campaign volunteers. In addition, unlike members of other unions, teachers traditionally don't lose pay on an annual basis when they strike. In almost every state, teachers make up lost strike time at the end of the year, making the labor action a much more attractive means of extracting concessions. Michigan only recently outlawed paying striking teachers for these make-up days.

The unions have other advantages. When their clout elects school board members sympathetic to teachers, they influence both sides of the bargaining table—a situation unparalleled in private industry.

Of state legislatures, Republicans control 50 chambers, up from 31 before the November elections. With their power, Republicans will have to focus on teacher unions as they have never done before, write Haar, Lieberman, and Troy. Typically conservative forces lack any program or strategy to deal with union issues, "partly due to their ignorance about teacher union structure, leadership, revenues, governance documents, dynamics—just about anything that matters," the authors write.

But such understanding is critical, the authors argue convincingly, considering the implications of a merger and creation of what would be the most powerful political interest group in American politics.

Maribeth Vander Weele covers education for the Chicago Sun-Times *and is author of* Reclaiming Our Schools: The Struggle for Chicago School Reform.

S Y R A C U S E

The President Is At Camp David
W. DALE NELSON
Foreword by David Eisenhower

"Nelson's entertaining history of the presidential retreat in Maryland's Catoctin Mountains sheds light on a relatively obscure but not unimportant aspect of the presidency."
—*Publishers Weekly*

260 pages, 44 photographs, index — Cloth $24.95

Second Edition! **Foreign Correspondence**
The Great Reporters and Their Times
JOHN HOHENBERG

This extensively revised edition reads like an adventure story about the vital role of the foreign correspondent throughout history.

400 pages, index — Cloth $39.95 Paper $17.95

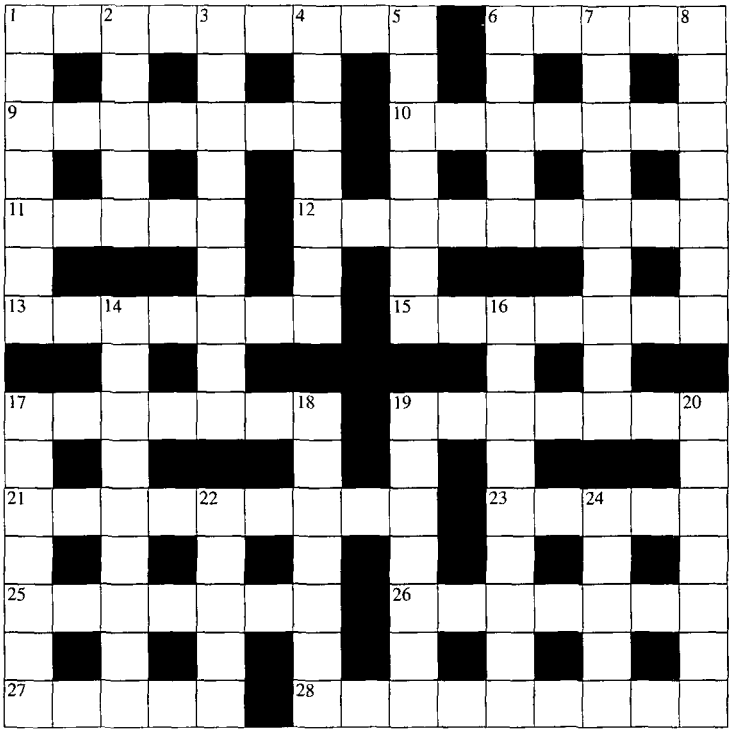
Syracuse University Press
Syracuse, NY 13244-5160/ 800-365-8929 (orders only)

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Political Puzzle

BY JOHN BARCLAY

The numbers indicate the number of letters and words—thus (2,3) means a two-letter word followed by a three-letter word. Groups of letters, such as USA, are treated as one word.



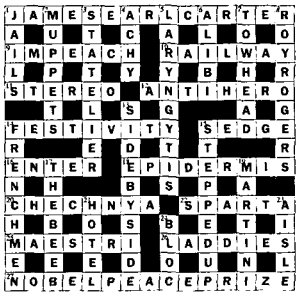
ACROSS

1. Mistake in swirling mist is major threat today. (9)
6. Throw tips around circle to make statement. (5)
9. Takes off improperly secured. (7)
10. Relaxation from flower collection, why not? (7)
11. Arrange ride after start of walk to be more extensive. (5)
12. Explain messy tree print. (9)
13. Contrition from breaking cane after jail term. (7)
15. Desire for dough or Gardner grain. (7)
17. Meet Rex informally at the edge. (7)
19. Pith gut alloy near the breaking point. (7)
21. Proper sign for events next spring. (9)
23. Daily advertising about mimic. (5)
25. Clear back dive before net is set up. (7)
26. Stone at store display. (7)
27. State in computer system backwards for church group. (5)
28. Post office leaders playing with live sex display is dynamite. (9)

DOWN

1. Ruth Pew unfortunately had digestive problem. (5, 2)
2. Diderot started back and put in new furnishings. (5)
3. Cure once with carbon prescription for an event. (9)
4. Supply encouragement to make pin rise. (7)
5. Casualties around freshman course for rightist group. (7)
6. Replaced ecclesiastic? (5)
7. Rapid movements make us grin and cry. (9)
8. Bridge construction unsettled settler. (7)
14. Conspicuous consumption of sorts—ruin it not carelessly. (9)
16. A top saint cooked Luigi's dish. (9)
17. Ruler of space estate. (7)
18. Letter pile sent awry. (7)
19. Loosen shimmering sun before carriage. (7)
20. Before end of June, Carter reset level. (7)
22. Leading in America, he added substance. (5)
24. New tripe dish for labworkers. (5)

Answers to last month's puzzle:



LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

Brain Food.

(Head revived from vegetated state)

Active, influential people don't have time to dig through truckloads of weekly newsmagazines and political journals. Yet they know that keeping well-informed is critical to keeping up. What they need is an intelligent, one-stop source that brings them news and interesting analysis of today's most important political, economic and social trends.

Welcome to *The American Enterprise*, the most invigorating journal of thought and opinion in America today.

THE AMERICAN ENTERPRISE

We feature lively writing on serious topics from writers like William Bennett, Daniel Patrick Moynihan, Charles Murray, Christina Hoff Sommers, Christopher Hitchens, Stanley Crouch, Marvin Olasky, Florence King, Thomas Sowell, Eugene Genovese, Barbara Dafoe Whitehead, George Gilder, Irving Kristol, Michael Medved, Dinesh D'Souza, and Paul Johnson. Concise, enjoyable-to-read information on the direction of American society.

THE NATIONAL MAGAZINE OF POLITICS, BUSINESS, AND CULTURE

Complete this form and we'll send you a free issue of *The American Enterprise*.

If you like what you see and want to subscribe at the special rate of $28 a year, return a completed invoice.

If you decide *The American Enterprise* isn't for you, just write "cancel" on your invoice. That's all there is to it. The free sample is yours to keep.

Send me a **FREE** issue at no obligation.

Name .....

Address .....

City .....

State/Zip .....

A65WMO

Clip and mail to *The American Enterprise*, P.O. Box 3000, Denville, NJ 07834
or call 1-800-562-1973 or fax 201-627-5872

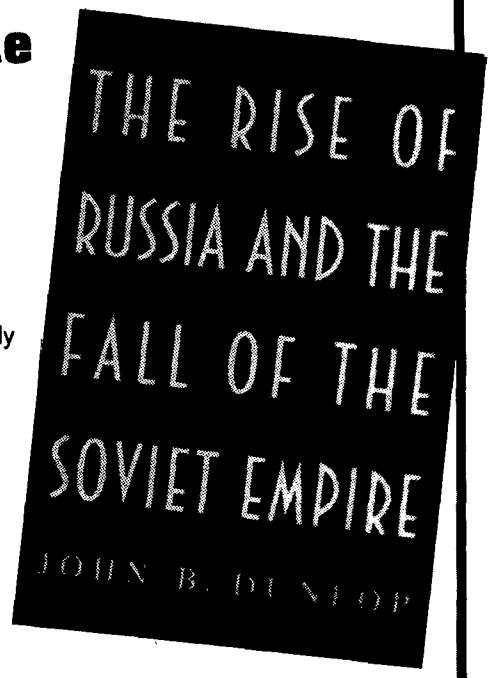
LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED

A WORLD OF CHANGE

With a new postscript by the author

The Rise of Russia and the Fall of the Soviet Empire

John B. Dunlop

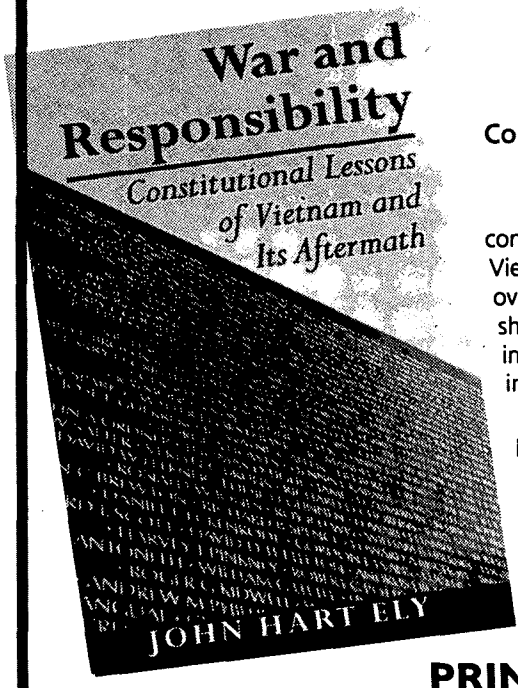


This is the first work to set one of the great bloodless revolutions of the twentieth century in its proper historical context. John Dunlop pays particular attention to Boris Yeltsin's role in opposing the covert resurgence of Communist interests in post-coup Russia, and faces the possibility that new institutions may not survive long enough to sink roots in a traditionally undemocratic culture.

"Through a judicious mix of well-chosen detail and a good feel for the peculiarities of the Russian scene, Dunlop has produced a book equally valuable to someone trying to understand how Gorbachev's *perestroika* came a cropper and to someone who needs to know the immediate background of the Russia we now have."
—*Foreign Affairs*

"There is no doubt that students of Russian politics will return often to this wellspring of original information and insights."—*The Times Higher Education Supplement*

Now in paper: $16.95 ISBN 0-691-00173-1



War and Responsibility

Constitutional Lessons of Vietnam and Its Aftermath

John Hart Ely

Twenty years after the signing of the Paris Accords, the constitutional ambiguities of American involvement in the Vietnam War remain unresolved. John Hart Ely examines the overall constitutionality of America's role in Vietnam and shows that Congress authorized each new phase of American involvement without committing itself to the stated aims of intervention.

"[T]he most signal quality of this book is its shining integrity. Ely's patient, careful, but never tedious examination of Congress's role in the authorization of the Vietnam War is an inspiring antidote to the indulgent amnesia of so many who ought to know better."
—*Michigan Law Review*

Now in paper: $16.95 ISBN 0-691-02552-5

PRINCETON UNIVERSITY PRESS

AVAILABLE AT FINE BOOKSTORES OR DIRECTLY FROM THE PUBLISHER: 800-777-4726

LICENSED TO UNZ.ORG
ELECTRONIC REPRODUCTION PROHIBITED